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ENVIRONMENTAL ASSESSMENT BOARD

VOLUME: 368

DATE: Monday, April 13, 1992

BEFORE:

A. KOVEN Chairman

E. MARTEL Member

FOR HEARING UPDATES CALL (COLLECT CALLS ACCEPTED) (416) 963-1249

FARR &
ASSOCIATES
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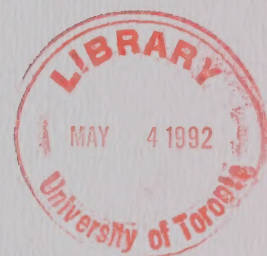
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HEARING ON THE PROPOSAL BY THE MINISTRY OF NATURAL
RESOURCES FOR A CLASS ENVIRONMENTAL ASSESSMENT FOR
TIMBER MANAGEMENT ON CROWN LANDS IN ONTARIO

IN THE MATTER of the Environmental
Assessment Act, R.S.O. 1980, c.140;

- and -

IN THE MATTER of the Class Environmental
Assessment for Timber Management on Crown
Lands in Ontario;

- and -

IN THE MATTER of a Notice by The Honourable
Jim Bradley, Minister of the Environment,
requiring the Environmental Assessment
Board to hold a hearing with respect to a
Class Environmental Assessment (No.
NR-AA-30) of an undertaking by the Ministry
of Natural Resources for the activity of
Timber Management on Crown Lands in
Ontario.

Hearing held in the "Cloud Room" of The
Empire Hotel, 425 Fraser Street, North Bay,
Ontario, on Monday, April 13th, 1992,
commencing at 10:30 a.m.

VOLUME 368

BEFORE:

MRS. ANNE KOVEN
MR. ELIE MARTEL


Chairman
Member

A P P E A R A N C E S

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MS. K. MURPHY)	
MR. B. CAMPBELL)	
MS. J. SEABORN)	MINISTRY OF ENVIRONMENT
MS. N. GILLESPIE)	
MR. R. TUER, Q.C.)	ONTARIO FOREST INDUSTRY
MR. R. COSMAN)	ASSOCIATION and ONTARIO
MS. E. CRONK)	LUMBER MANUFACTURERS'
MR. P.R. CASSIDY)	ASSOCIATION
MR. D. HUNT)	
MR. R. BERAM		ENVIRONMENTAL ASSESSMENT BOARD
MR. J.E. HANNA)	ONTARIO FEDERATION
DR. T. QUINNEY)	OF ANGLERS & HUNTERS
MR. D. O'LEARY		
MR. D. HUNTER)	NISHNAWBE-ASKI NATION
MR. M. BAEDER)	and WINDIGO TRIBAL COUNCIL
MS. M. SWENARCHUK)	FORESTS FOR TOMORROW
MR. R. LINDGREN)	
MR. D. COLBORNE)	GRAND COUNCIL TREATY #3
MR. G. KAKEWAY)	
MR. J. IRWIN		ONTARIO METIS & ABORIGINAL ASSOCIATION
MS. M. HALL		KIMBERLY-CLARK OF CANADA LIMITED and SPRUCE FALLS POWER & PAPER COMPANY

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MR. R. BARNES)	ASSOCIATION
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MR. P. ZYLBERBERG)	
MR. J.W. ERICKSON, Q.C.)		RED LAKE-EAR FALLS JOINT
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MR. P. ODORIZZI		BEARDMORE-LAKE NIPIGON WATCHDOG SOCIETY



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MR. M.O. EDWARDS	FORT FRANCES CHAMBER OF COMMERCE
MR. P.D. McCUTCHEON	GEORGE NIXON
MR. C. BRUNETTA	NORTHWESTERN ONTARIO TOURISM ASSOCIATION

I N D E X O F P R O C E E D I N G S

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I N D E X O F E X H I B I T S

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1 ---Upon commencing at 10:30 a.m.

2 MADAM CHAIR: Good morning, ladies and
3 gentlemen. We're here this morning to begin receiving
4 the evidence of the Northwatch intervention including
5 the evidence of the Northshore Tribal Council, the
6 United Chiefs and Council of the Manitoulin and the
7 Union of Ontario Indians.

8 I understand that Mr. Zilbeberg and Ms.
9 Lloyd have had some success in changing the order of
10 their witnesses' appearance and I understand that this
11 morning we're going to begin with the evidence of Mr.
12 Graves and Mr. Lewis.

13 MR. ZYLBERBERG: It was our intention,
14 Madam Chair, to ask Mr. Lewis to give an opening
15 address and not having me do so, Mr. Graves will be
16 called as the first witness therein.

17 THE CHAIRMAN: All right, that's just
18 fine. Why don't we begin then.

19 MR. LEWIS: My name is Keith Lewis. On
20 behalf of the Coalition of Northwatch, United Chiefs
21 and Council of Manitoulin, and the Union of Ontario
22 Indians and Mamaweswen Northshore Tribal Council I
23 would like to thank you for the opportunity to
24 participate in these hearings and to enter evidence
25 into the proceedings which will be utilized to

1 determine what in MNR words are described as the most
2 appropriate approach to defining a common and
3 consistent planning process for timber management in
4 Ontario.

5 As I mentioned my name is Keith Lewis and
6 I'm the director of environmental programs at the
7 Northshore Tribal Council. My homeland is on
8 Kenabutching on the Serpent River First Nation which is
9 located midway between Sudbury and Sault Ste. Marie,
10 this is on the TransCanada Highway.

11 The Northshore Tribal Council of which
12 the Serpent River First Nation is a member represents
13 seven First Nation communities also situated between
14 Sudbury and Sault Ste. Marie and which are
15 predominantly of Ojibway decent as evidenced by
16 utilization of the Anishinabek name of the organization
17 in the word Mamaweswen, and I will get to some
18 definition of these words a little further on in my
19 presentation.

20 Another Anishinabek member of our
21 Coalition, the United Chiefs and Council of the
22 Manitoulin, also a Tribal Council, represents five
23 First Nations communities on the Manitoulin Island who
24 themselves are of Ojibway and Odawa ancestry.

25 The Union of Ontario Indians is a

1 provincial Treaty organization which represents
2 approximately 42 Anishinabek communities across the
3 province, stretches all the way from Thunder Bay, runs
4 along the shores of Lake Huron and Superior and
5 includes much of southwestern Ontario all the way to
6 Sarnia.

7 Our eastern most First Nation community
8 is located at Golden Lakes and the northern boundary of
9 the area encompassed by Union of Ontario Indian
10 territories runs along the Great Lakes Continental
11 Divide.

12 The area just described is also the
13 approximate designation of the Robison Huron and
14 Robison Superior Treaty areas. It should also be
15 mentioned that the Union of Ontario Indians embodies
16 the two tribal councils that I previously referred to.

17 The Northwatch Coalition is also a member
18 of our party and represents the interests of many
19 non-Indian people of the central and northeastern
20 portion of Ontario.

21 Their group consists of environmental and
22 citizens organizations and individuals whose very
23 genuine concerns are in the sectors of nuclear
24 development and disposal of nuclear waste, forest
25 depletion, wilderness preservation, waste management and

1 water quality issues and escalation in terms of
2 military armament.

3 The Anishinabek people of this Coalition
4 also share the same concerns with any of the above
5 issues, mostly because it has also seemed to us that it
6 has been we who have historically had to experience the
7 brunt of the disadvantages, inconveniences and
8 hardships associated with what are routinely called
9 developments.

10 Northwatch believes in and advocates a
11 pro north perspective, a perception which Anishinabek
12 people share and works to represent the concerns of the
13 people of northeastern Ontario.

14 The position of Northwatch relative to
15 these very important issues, areas and concerns is
16 consistent with that of the rest of our Coalition and
17 has led the Anishinabek people represented here to the
18 decision to share resources and participate in the
19 Class Assessment Hearing on Timber Management.

20 The operative concept being utilized here
21 has been a share. While sharing has oftentimes been
22 utilized by Indian leaders to describe a cultural trait
23 which is indigenous to our people, the term is not
24 meant to imply in any way that we are asking to be
25 taken advantage of or otherwise to be bought. We

1 represent a northern Ontario perspective which says
2 that we are tired of the north being thought of as an
3 economic commodity for southern Ontario.

4 We find it preposterous that the same
5 population who dictate to the destruction of our lands
6 also dictates how we are to conduct our day to day
7 activities in the north whether we are of aboriginal or
8 non-aboriginal ancestry.

9 While we in our Coalition also share some
10 of the same views, it should be understood - and, yes,
11 we feel it should be accepted - that we also represent
12 a diversity of views, perspectives, opinions, needs and
13 aspirations and most of all values. It must be
14 understood and accepted that we are different in terms
15 of being individuals, that we are not a homogenous
16 group and, because we are humans, that there will
17 always be room for contradictions.

18 This concept is demonstrated markedly and
19 unequivocally in main stream society every day and is
20 accepted without a second thought: Your political
21 parties, your organized religions, your school boards,
22 your newspapers, goes on and on.

23 There's a contrast and especially in the
24 case of the Anishinabek contingent of our Coalition;
25 that is, of the Anishinabek people generally, there has

1 been absolutely no acceptance by non-Indians of the
2 fact that amongst us there are sometimes vastly
3 differing views and perceptions.

4 If we say we are of the land, as I said
5 earlier, then every single one of us are expected to
6 demonstrate an almost religious appreciation and
7 connection for that land lest we be labeled as
8 hypocrites.

9 Where is the understanding and acceptance
10 so often referred to by your own leaders when they go
11 overseas to condemn other countries for their human
12 rights violation and intolerances. Yes, we do have
13 differing views amongst us as a people and are no
14 different from anyone else in that regard.

15 If anything else is expected of the
16 Anishinabek, that we present and demonstrate a
17 homogenous group perspective in all matters of
18 importance and concern to us, then the very suggestion
19 borders not only on elitism but strays precariously
20 close to racial discrimination.

21 Anishinabek is an Ojibway word which
22 people use to describes themselves and which translated
23 can be taken to mean people of the land. The fact that
24 we perceive ourselves as being people of the land and
25 not people who must ***subrogate the land has special

1 meaning for us especially in the context of the timber
2 management hearing and it is this philosophy which ties
3 our Coalition together.

4 As Anishinabek people and in partnership
5 with Northwatch we believe that it is the land that
6 must dictate the extent to which it is used, how it is
7 used, when it is used and why it is used. The implicit
8 message in this discussion is that sometimes the land
9 will dictate whether it is to be used at all or simply
10 left alone because of its own worth. And, yes, we as a
11 people together with others in the Coalition are not
12 advocating a policy of non-development. We accept the
13 fact that on the land human beings have a place too,
14 though it is not in the context of the other extreme,
15 the extreme which amounts to the rape of the land with
16 no second thoughts for future generations or for the
17 lives and habitat of non-human beings.

18 Another Ojibway word which has special
19 significance for us and has not only been utilized by
20 us in terms of the name of our organization but
21 signifies also the spirit, intent and manner with which
22 we frame our approach to participation in the hearings.
23 The word is Mamaweswen which translated loosely means
24 all of us working together. The reason that the word
25 is special is not only because it is an operative

1 description of how the Tribal Council functions as an
2 organization but it also describes quite adequately how
3 this group functions as a Coalition.

4 This fits well with acting today for
5 tomorrow, which is the motto that Northwatch uses to
6 describe very simply their vision of how human kind
7 should relate to the world around us.

8 Our Coalition in the hearings is quite
9 unique in the sense that we are the only regional group
10 who so far have made representations for northeastern
11 Ontario. Our evidence will be relative to this
12 particular region because it will be presented largely
13 by ordinary people who live in the region and who have
14 had personal experience there and who have a particular
15 expertise in terms of having witnessed the utilization
16 and exploitation of the land and who have also
17 witnessed some of the questionable practices and
18 demands and imposed upon the land. We will rely
19 heavily on lay witnesses with expert witnesses being
20 used to support the evidence by the regional evidence
21 of the lay people.

22 Our particular bias and strategy is to
23 inject an element of everyday people into these
24 hearings and to veer away from too much abuse of
25 lawyers, consultants and experts, something of which in

1 our experience these types of hearings have sadly
2 become. Sadly because it is apparent that industry and
3 government have gotten out of control and that grass
4 roots participation no longer counts. There is almost
5 no sense or discussion of public participation,
6 involvement, whether initiatives are community driven
7 or not or decentralization and empowerment, all of
8 which are considered no more than hollow concepts used
9 in an attempt to convince us that our opinions are
10 being seriously considered.

11 To some degree we have attempted to
12 relieve some of the burden of the Board by balancing,
13 integrating and synthesizing our evidence in the areas
14 of issues and concerns where there is commonality.

15 We are here because we intend to
16 critically analyse and discuss the inappropriateness of
17 current harvesting practices which may negatively
18 impact on aboriginal people by the destruction of the
19 forest base for non-timber harvesting uses such as
20 hunting, fishing, trapping, gathering, recreation and
21 retention of the health of the forest for the reason of
22 biodiversity.

23 In respect of that critical analysis we
24 also intend to suggest alternative ways of utilizing
25 the forest so that there is a more balanced approach to

1 planning which takes into consideration the concerns of
2 everyone and all of their inputs into the incorporation
3 of environmental considerations into all aspects of
4 social and economic decision-making.

5 The mandate of those First Nations
6 communities represented in these hearings is for the
7 enhancement of their social and economic well-being
8 through significant and meaningful participation in
9 timber management practices and activities. This will
10 be attained through the negotiation of shared authority
11 and jurisdiction over traditional lands by entering
12 into co-management regimes which will also assist in
13 the achievement of stability, selfsufficiency and a
14 self-determined future through the vehicle of
15 self-government.

16 Neither of these agendas are adequately
17 served or contributed to in any way by the timber
18 management practices which have been employed over the
19 last ten decades. Our witnesses will relate their own
20 particular opinions to you based on their specific
21 experiences. They will say that we must take more time
22 to measure impacts because some impacts are noticeable
23 only after decades. They will speak of the public's
24 perception of the abuse of public meetings and the
25 consultation process generally.

1 We will hear that elders in Indian
2 society are very respected individuals and that the
3 environmental assessment process does not lend kindly
4 or respectfully to their differing world views. We
5 will be told of the aboriginal perspectives in relation
6 to the cycles of the seasons and how current timber
7 management practices do not respect the seasons or the
8 physical realities that they bring to us.

9 We will also be told of how experts
10 utilize intimidation tactics to effectively muzzle the
11 concerns of others. We will hear of the spiritual
12 values that the forest brings, we will hear about
13 aboriginal rights and how the Treaties are slowly and
14 incrementally being eroded. All of this will and
15 should be heard, as bad should be heard to explain how
16 good ideas can come about and then be implemented.

17 In closing I want to explain that I have
18 attempted to facilitate and demonstrate for the Board
19 through a discourse which ranged through four areas
20 premised upon answeres to the questions of who we are,
21 why we are here, what our witnesses will tell you, and
22 what we would like to see done from a positive
23 perspective all in relation to timber management in
24 Ontario.

25 Our case will be based upon four very key

1 areas which I would like to emphasize for you in
2 conclusion of my presentation.

3 Those are: No. 1, the impacts of access
4 and how -- access and the way that it is being
5 currently being regarded does not respect the integrity
6 of the social and physical well-being of the natural
7 and human environment.

8 No. 2, public consultation and
9 decision-making and how it is intended to occur but
10 remains for the most part a misnomer and largely a
11 grand illusion.

12 No. 3, wilderness values and how they are
13 not incorporated into the timber management process
14 excepting matters that it is apparent that financial
15 and political interests have taken priority over all
16 other considerations.

17 No. 4, land use and the allocation of
18 rights and how the whole timber management process is
19 laden with and in the language of values other than
20 those which signify mere utility and financial benefit.

21 Again, on behalf of our Coalition I would
22 like to voice my appreciation for the opportunity to
23 speak to you about concerns which we believe are being
24 systematically excluded from a process which otherwise
25 makes statements which are quite the contrary.

1 Our case will present to you some very
2 worthwhile alternatives to what has become the current
3 routine.

4 Thank you.

5 MADAM CHAIR: Thank you very much, sir.
6 We will be hearing -- Mr. Lewis is not identified as
7 originally being on your witness panel, but...

8 MR. ZYLBERBERG: No, he isn't.

9 MADAM CHAIR: Okay. There's nothing --
10 I'm not raising any concern about that, I just wanted
11 to make it clear, I'm comparing this with my previous
12 witness list.

13 MR. ZYLBERBERG: He should have been
14 shown on the list as presenting our opening address and
15 I believe he was.

16 MADAM CHAIR: Yes, I do have that on the
17 revised list. Thank you very much for your
18 introduction.

19 We haven't sworn Mr. Lewis' evidence in
20 but I don't know if that's necessary with respect to
21 his opening remarks.

22 MR. ZYLBERBERG: We thought of that as an
23 introduction to our evidence.

24 MADAM CHAIR: Fine.

25 MR. ZYLBERBERG: I expect it's

1 traditional for lawyers to give them to you, as they
2 opened. In our experience lawyers aren't always the
3 best people to do that too.

4 MADAM CHAIR: All right. Thank you very
5 much.

6 And we will be hearing next from Mr.
7 Graves.

8 MR. ZYLBERBERG: Mr. Graves is here.

9 MR. GRAVES: Good morning.

10 MR. ZYLBERBERG: I don't know what the
11 affirmation of swearing witnesses is, I'm sorry.

12 MADAM CHAIR: Would you like to have your
13 evidence affirmed or sworn in, Mr. Graves?

14 MR. GRAVES: It's fine with me. It's at
15 the Board's --

16 MR. ZYLBERBERG: Would you like to be
17 affirmed or sworn?

18 MR. GRAVES: Oh, I'm sorry. I will be
19 sworn, sorry..

20 MADAM CHAIR: All right. Could you
21 approach us, please.

22 TERRY GRAVES; Sworn.

23 MR. ZYLBERBERG: Madam Chair, there are a
24 number of documents that we filed with you and I don't
25 know whether they have the formal status of exhibits

1 but perhaps they should. The first would be our
2 witness statements, there's a book of them.

3 MADAM CHAIR: Yes. We will assign that
4 an exhibit number, Mr. Zylberberg and that will be
5 Exhibit 2179.

6 ---EXHIBIT NO. 2179: Book of witness statements for
7 Northwatch Coalition.

8 MR. ZYLBERBERG: Perhaps the next exhibit
9 after that could be the responses to the
10 interrogatories that were raised to those witness
11 statements. It's a much smaller booklet.

12 MADAM CHAIR: Yes. The responses to the
13 interrogatories which consists of 25 pages and some
14 additional compendium material will become Exhibit
15 2180.

16 ---EXHIBIT NO. 2180: Book of interrogatory responses
17 and compendium material.

18 MR. ZYLBERBERG: And this morning we've
19 provided a preliminary list of recommendations that are
20 culled from those witness statements and perhaps that
21 can be separately marked.

22 MADAM CHAIR: The preliminary list of
23 recommendations, and I understand these are in some way
24 addressing the terms and conditions--

25 MR. ZYLBERBERG: Yes.

1 MADAM CHAIR: --your witnesses wish to
2 put forward at the hearing.

3 MR. ZYLBERBERG: Yes.

4 MADAM CHAIR: This will become Exhibit
5 2181.

6 ---EXHIBIT NO. 2181: List of preliminary
7 recommendations put forth by
8 witnesses for Northwatch
 Coalition.

9 MADAM CHAIR: Please go ahead whenever
10 you're ready, Mr. Graves.

11 DIRECT EXAMINATION BY MR. ZYLBERBERG:

12 Q. Terry, you identified yourself in
13 your statement as living east of Elk Lake I think the
14 Township is wrong.

15 A. The township is wrong. I live in
16 Barber Township not in James Township.

17 Q. And approximately how far would that
18 be from the Town of Elk Lake?

19 A. Approximately 10 miles down the
20 stream of the Montreal River.

21 Q. Have you always lived in northeastern
22 Ontario?

23 A. I have lived in northeastern for
24 approximately the last 15 years.

25 Q. And you've read over your statement

1 again before coming here today to give evidence?

2 A. Yes, I have.

3 Q. Why is the concept of wilderness
4 important to you?

5 A. Well, as I've stated in the paper,
6 there are a variety of reasons. I think one of the key
7 reasons that I think we have to look at preservation of
8 wilderness is in consideration for the scientific --
9 for scientific purposes.

10 If you consider the steps forward or
11 leaps forward that we've made in the last 100 years in
12 terms of our knowledge and consider the rate of
13 acceleration at which that has taken place and then
14 consider what we might be able to learn in the next 100
15 years, to eliminate that living laboratory of
16 wilderness I think would prove us to be a very pathetic
17 species, and so I think that that's a key reason for
18 preservation.

19 I believe in the paper I've alluded to
20 statement Chris Mazer's statement about how we would be
21 set adrift without that living laboratory on which to
22 depend, for example, the future of the forest industry
23 in forest renewal alone.

24 But I think the reason goes much deeper.
25 As a Canadian I think that we have to consider what

1 our - and everyone argues particularly these days about
2 what our national identity is - but I think it is so
3 interrelated with our perception of ourselves as people
4 in a country which has essentially been a wilderness
5 onto which we have come, and certainly the first people
6 were here for 15,000 years, maybe 10,000 years in this
7 area and demonstrated a way in which to live in harmony
8 with the wilderness of this country.

9 We as -- or myself as European, with
10 European roots perhaps we've been here for three or 400
11 years and have never learned to live with it, we've
12 only attempted to dominate, and I think we have to -- I
13 believe it was Isaac Azimov said, we're gnawing the
14 planet bare.

15 We have an opportunity in Canada to take
16 a different approach and I think it behoves us to start
17 changing our course right away. We still have some
18 wilderness but we are gnawing the planet bare and we're
19 destroying the natural systems. As Henry David Thoreau
20 said in wilderness -- in wildness is survival, and I
21 think we have to look at wilderness in a larger sense.
22 Let's get away from short-term economic gain in our
23 planning and start looking at what wilderness offers to
24 us as a species and how we can learn to live in harmony
25 with it.

1 Q. One of the interrogatories asked you
2 the question, and this was the question that was asked.
3 It was: Would the value people place on wilderness
4 vary from individual to individual and from place to
5 place across Ontario. What would you say in answer to
6 that?

7 A. I've never found that to be the case,
8 I think the key is awareness. It isn't a regional
9 issue, it isn't something that comes out of Kapuskasing
10 or out of Windsor. I don't think the opinions would
11 vary that much.

12 I think if you take a person -- for
13 example, I took a neighbour of mine several years ago
14 for a drive down the Deep Lake Road into Naismith
15 Valley. This gentlemen had been born in Matachewan in
16 northeastern Ontario, grown up in the New Liskeard
17 area, worked in the south and come back and lived in a
18 rural area in northeastern Ontario. And I was taking a
19 drive to take some photographs down in Naismith Valley,
20 an area which has been predominantly clearcut. He was
21 horrified, that was his initial reaction. We did come
22 to some stands, small stands of old white pine and his
23 comment to me was: I thought we only had trees like
24 this in British Columbia, meaning left in Canada or in
25 Canada. And here's a person who grew up in Matachewan.

1 So I think -- and this person was not pro
2 environment, he was not an activist, but his perception
3 was, as is the perception of most Canadians, that we
4 have this huge reserve of untouched wilderness in this
5 country and we can afford -- and we cannot afford to
6 put the forest industry out of business, and so perhaps
7 the role that I fill is not one -- as an environmental
8 activist is not one to be praised, in his view, but
9 having seen the evidence and seen exactly what is
10 happening in the bush he was horrified.

11 And I think that that is the problem, is
12 that people don't get out and see and they don't know
13 what's going on, and industry has done a very good job
14 of selling itself as a promoter of responsible forest
15 management. I think anyone that sees the hard evidence
16 knows otherwise.

17 Q. In your statement you talk about the
18 values that you associate with wilderness.

19 What makes them dependent on wilderness?
20 Why would those values suffer if wilderness
21 disappeared?

22 A. I'm sorry, could you repeat the
23 question.

24 Q. Why would the values that you talk to
25 in your paper suffer if wilderness were to disappear?

1 A. Well, because certainly wilderness is
2 the root of the perspective that I was coming at it
3 from. We are not going to have that living laboratory,
4 we are not going to have -- if you look at the culture
5 of this country it is so tied to wilderness.

6 Are we going to have our great painters
7 of the future paint from memory or from photographs or
8 based on old paintings, or is there going to be
9 something there for them to see.

10 Certainly we have in a few hundred years
11 been able to destroy something that developed over
12 millennium and I guess I have trouble figuring out
13 where we think we get the right to eliminate future
14 generations from experiencing wilderness and that's
15 essentially what we're doing.

16 Yes, we have some pockets, we have
17 Quetico and, you know, we have Lady Evelyn Smooth Water
18 Park in Ontario. If we want to look at the particulars
19 it's a very sad look indeed. If you look at -- Lady
20 Evelyn Wilderness Park came into being in 1983, has had
21 a logging road, major access road running through the
22 middle of it since that time, is essentially on either
23 side of the Lady Evelyn River, the major canoe route
24 through it, a tree farm for much of its distance.

25 It was one-fifth of the original size

1 that was considered and was essentially -- it doesn't
2 fit the criteria that we should be using to establish
3 what is a wilderness park.

4 Q. Are you arguing that we shouldn't
5 extract timber from the forest?

6 A. I'm not saying we shouldn't extract
7 timber. I'm saying we should be very selective about
8 where we do.

9 The approach has been by the industry and
10 by government: We are reasonable for doing this. We
11 are reasonable for -- it's a reasonable thing to do, to
12 allocate timber and have these operations and the
13 perspective has been it is unreasonable to oppose, to
14 oppose logging or to talk about preservation.

15 I think actually the converse is true and
16 logging certainly has to take place in some areas. It
17 cannot continue to take place on the scale which it
18 has.

19 From 1950 until the present when we
20 started to -- when logging started to be done in a much
21 more mechanized fashion with the concept of
22 clearcutting, being one of the major MNR policies as
23 far as their approach in forestry, we have done an
24 incredible amount of damage. I think they have put the
25 industry in jeopardy and at the same there has been a

1 growing awareness in the public, but I think that that
2 awareness hasn't reached a critical mass yet. I think
3 it is going to be a bad day for that industry when it
4 does.

5 Q. We are here talking about timber
6 management. Does the forest need to be managed?

7 A. I guess it depends on your definition
8 of management. I think what we need are some
9 non-managed or unmanaged wilderness areas.

10 If the management consists of simply
11 gating and you want to call that management, gating old
12 access roads, then let's call that management, but I
13 think that we fall short of -- well, the Brundtland
14 Commission said 12 per cent of the country should be
15 set aside and I think we fall short in this
16 constituency.

17 You know, I guess it depends on -- if
18 bringing that 12 per cent in means managing in order to
19 have it set aside, then there should be management, but
20 I think what we really require are some non-managed
21 areas.

22 Q. Those are my questions.

23 Do you have anything more that you would
24 like to say?

25 A. Yes. Canada's State of the

1 Environment Report came out last week and this is out
2 of the federal government, a Tory government, and
3 basically the paper said that the environment in Canada
4 is an alarming state.

5 I was listening to one of the authors on
6 CBC Radio the other day and he said that if the
7 \$6-billion for the Green Plan which was originally
8 allocated, it is down to 3-billion now, if that were
9 put into use immediately, if the programs that it was
10 intended for were implemented, if the 6-billion were,
11 that we would still see the environment of Canada
12 declining at an accelerated rate because that money is
13 basically allocated to take care of past problems.

14 I know that budgets for reforestation are
15 being cut at a time when they should be increased and
16 it gives me great fear for the future.

17 That's essentially all I have to say.

18 MADAM CHAIR: Mr. Graves, are you
19 familiar with the forest elsewhere in Ontario or is
20 your familiarity with this area, with the Temagami
21 area?

22 THE WITNESS: Primarily in the red and
23 white pine forest. I actually live in the boreal
24 forest just above the red and white pine forest, but I
25 have certainly spent more time in that area.

1 MADAM CHAIR: Thank you.

2 Are there any other questions for -- go
3 ahead.

4 MR. MARTEL: When you comment about a
5 report dealing with the environment and the federal
6 plan you are talking about a much wider environment
7 than that just covering forestry I would presume?

8 THE WITNESS: Yes, I am, but the report
9 said that we are overusing our water capital, our wood
10 capital and our soil capital.

11 It does involve forestry as well, but it
12 is in a broader sense than Ontario.

13 MR. MARTEL: My second question we
14 haven't been able to get a handle on. We have asked.

15 Everybody is giving us a figure, 12 per
16 cent is used, that comes out of a number of sources;
17 however, what's that really compiled of?

18 Does that include reserves, existing
19 parks or is it just 12 per cent set aside somewhere
20 because my rough calculation is we are running out of
21 forest to allocate to each group.

22 I have raised this question a number of
23 times, and with everyone asking for a chunk of the
24 action I'm not sure what is left for anything else
25 because we are not getting a definitive statement as to

1 what each person's make-up is.

2 Is there an overlap? In other words, can
3 we use part of the Lady Evelyn Park to be part of the
4 wilderness we are talking about or the study that is
5 now going on in your area that was introduced not that
6 long ago.

7 What is this 12 per cent? Is that a
8 blanket figure for everything, what everybody is
9 demanding for wilderness or reserves or AOCs or is a
10 distinct 12 per cent on its own?

11 THE WITNESS: My own opinion is I would
12 be perfectly satisfied to see it being made up of
13 parks, reserves and existing wilderness parks and with
14 the remainder being made up of an additional mix of
15 those, but certainly we're not even approaching that in
16 terms --

17 MR. MARTEL: We are at five I think
18 roughly, five and a half.

19 THE WITNESS: One of the things we have
20 to consider of that five is that we're talking about
21 6.3 million hectares. 2.4 of those are made up of
22 Polar Bear Provincial Park in itself which is largely
23 inaccessible to the Ontario population which may be a
24 good thing, but I think that we have to preserve some
25 of those more accessible areas as well.

1 MR. MARTEL: It could be, in your opinion
2 at least, combined?

3 THE WITNESS: Yes.

4 MR. MARTEL: A number of factors making
5 up that 12 per cent?

6 THE WITNESS: That's right. I think
7 that's going to be a long negotiating session when we
8 come down to that.

9 MADAM CHAIR: Anymore questions for Mr.
10 Graves?

11 Mr. Cassidy?

12 MR. CASSIDY: We don't seem to have
13 microphones on the tables back here. I hope you can
14 hear me Madam Chair; if not, I will endeavor to move
15 over.

16 You can hear me Mr. Graves?

17 THE WITNESS: Yes, I can.

18 CROSS-EXAMINATION BY MR. CASSIDY:

19 Q. I am curious about some of the
20 comments in your written material and I would like to
21 take you to, first of all, just a question because I
22 can't figure out what one of those things is. Maybe
23 you can help me. It is paragraph 8 in your written
24 material on page 4.

25 MADAM CHAIR: Excuse me, Mr. Cassidy. I

1 have noticed that Mr. Lewis and Mr. Graves and perhaps
2 other people here today weren't at the session last
3 week when we explained how this process works.

4 After the Board hears submissions we ask
5 if there are any questions, and I notice today that
6 there are some lawyers representing some of the major
7 parties at the hearing. So when they stand up to ask
8 questions you will know who they are.

9 Mr. Cassidy, for example, is representing
10 the Ontario Forest Industries Association and Mr.
11 Freidin is representing the Ministry of Natural
12 Resources, Barrie Maxwell is representing Forests for
13 Tomorrow and I believe we also have a representative
14 for the Ministry of the Environment today, Mr. Mark
15 Delmonte, and he may wish to ask questions of the
16 witnesses at some point. Ms. Nora Gillespie, counsel
17 for the Ministry of the Environment, has just walked
18 in.

19 So in the event any of these people ask
20 you questions you will know the interest they
21 represent.

22 Mr. Cassidy, you had a question for Mr.
23 Graves. Please continue.

24 MR. CASSIDY: Thank you, Madam Chair.

25 Q. Paragraph 8 on page 4. Do you have

1 that, Mr. Graves?

2 A. Yes, I do.

3 Q. What is ego-maintenance? I have no
4 idea what that is.

5 A. Well, I guess that refers to our
6 psychological stability which is I think something that
7 a walk in the woods or a two-week camping trip or a
8 long hike is something that urban dwellers seem to
9 require to recharge batteries to go back and face the
10 trauma of urban dwelling.

11 Q. Now I know what it means. All right.

12 I want to take you to a related issue I
13 guess and that is what you talk about in your paragraph
14 12. I asked you an interrogatory about this because I
15 didn't understand it and I still don't understand.

16 You talk in paragraph 12 on page 5 about
17 land usable by tourist operators being a related effect
18 of the threat of overlogging as the threat to
19 wilderness, and I asked you in the interrogatory --
20 it's on page 4 of Exhibit 2180.

21 I asked you if you could explain why land
22 usable by tourist operators is the threat to wilderness
23 and I think the gist of your answer is that it's not
24 tourism or tourist operators that are a threat, it is
25 the fact that they are a consequence of the logging.

1 Have I got that right?

2 A. Yes. That was I think somebody's PC
3 that was programming this in for distribution hiccupped
4 at that point. Basically all I was trying to say is
5 that loss of ecosystems and natural habitat and loss of
6 land usable by tourist operators was the issue.

7 Q. Okay. So the use of land by tourist
8 operators is not--

9 A. No.

10 Q. --an effect or a cause of damage to
11 wilderness. It is in fact one of the results I guess
12 by overlogging; is that it?

13 A. That's right.

14 Q. So tourism in and of itself is not a
15 threat to wilderness?

16 A. I think it is and it can be. I
17 shouldn't say it. I think it can be. The reason I
18 think that is is because industry and government have
19 left so little land with an increasing population base
20 that people who want to utilize those areas are being
21 concentrated into -- larger numbers are being
22 concentrated into small areas.

23 As a member of the Temagami Wilderness
24 Society we fought logging of the old growth forest and
25 one of the consequences of that was much increased use

1 of that area as a result of the publicity. I was at
2 the Matawapican dam last summer in a line-up behind
3 other canoeists waiting to portage and to some degree I
4 have to blame myself, but...

5 Q. For what?

6 A. For having promoted Temagami through
7 the issue to such a degree that it was attractive and
8 more widely known to people who tend to want to utilize
9 areas.

10 I didn't feel good about -- I guess I
11 felt good about seeing people utilizing it. I felt
12 good about the fact that I could still see the pine
13 standing, but it made it very apparent to me that we
14 have to start preserving other areas because these
15 areas are getting overused.

16 I know the MNR may disagree that they are
17 being overused by tourists, but my experience has been
18 that there is quite an increased traffic load in those
19 areas.

20 Q. So whatever the reason, whether it is
21 the fact that you publicized the area or it is what you
22 call overlogging, you would agree that tourism can put
23 stress on the resource and, in fact, damage wilderness,
24 right?

25 A. It certainly can as a result of there

1 being so little made available.

2 Q. So that's the only reason that it
3 puts stress on us, because there is so little
4 available?

5 A. Well, i think we have an increasing
6 population base, as I said, and certainly more and more
7 people -- as wilderness becomes -- there is less of it
8 it becomes a more valuable commodity.

9 People tend to be seeking venture tourism
10 vacations to a greater degree today than they did 20
11 years ago when they were just as happy to attach a tent
12 trailer to the back of the car and go to Killbear
13 Provincial Park and basically move into another suburb.

14 Q. Moving into another suburb and that
15 increasing population I have heard described as urban
16 sprawl which perhaps puts pressure on urban areas. Are
17 you aware of that?

18 A. Certainly if we're talking about
19 urban sprawl in terms of the tent trailer camping
20 out...

21 Q. I am talking about the expansion of
22 urban areas puts pressure on wilderness.

23 A. Absolutely. It creates a larger
24 population base that will certainly want more access to
25 wilderness and we are going to have to make sure there

1 is more wilderness there or it will be degraded as a
2 result of the population that tends to use it.

3 Q. Okay. I was interested in your
4 comments in paragraphs 10 and 11 of your witness
5 statement where you talk about economic gains for very
6 few and the fact that, according to you, what I am
7 going to call the forest industry is on the decline.

8 A. I don't think I said that, please. I
9 said jobs directly related to forestry in Ontario have
10 decreased.

11 Q. I'm sorry. I was looking in
12 paragraph 10.

13 A. Yes, that's where I'm reading.

14 Q. You say timber harvesting is on the
15 decline. I just called it the forest industry. It is
16 your position that the forest industry is in decline,
17 is that what you are saying? The gist of paragraph 10?

18 A. Let me take a close look at it.

19 Q. Go ahead.

20 A. As a job focused economic resource
21 timber harvesting is on the decline.

22 Q. I understand the gist of that
23 paragraph to mean that we shouldn't put as much faith
24 or we shouldn't really focus on the forest industry as
25 an economic generator because of the reasons you have

1 indicated in that paragraph. Is that a fair summation
2 of that paragraph?

3 A. Yes, I think it is. I think that if
4 we're looking at jobs per dollar spent we certainly
5 could do better.

6 Q. Yes. Well, I looked at a couple of
7 other witness statements and I'm sure we are going to
8 hear from them later, but I would like to ask you for
9 your comments on them.

10 In particular I was looking at Mr.
11 Esquega's witness statement which is at Tab 14, as I
12 understand it, of Exhibit 2179. Do you have that
13 there?

14 A. I have his statement, yes.

15 Q. Could you turn to what is an addendum
16 to that witness statement. It's the Gull Bay Report I
17 guess is what I would call it and when I look at --

18 MADAM CHAIR: Excuse me. Which part?

19 MR. CASSIDY: It is tab 14, Madam Chair,
20 and there is an addended study there -- appended study
21 I should say called the Gull Bay Development
22 Corporation Producing and Providing. I think you have
23 got it there, Mr. Martel. It has got all sorts of
24 photographs in it.

25 Q. When I look at page 19 of that

1 document, Mr. Graves, the last paragraph on page 19,
2 the study talks about economic freedom and the chief
3 there is reported as saying that in terms of violence
4 and vandalism, the chief reports, there has been a
5 noticeable reduction. He points out:

6 "The improved behavioural patterns
7 results from the Band's excellent police
8 force along with the reduced frustration
9 of the community brought about by the
10 employment opportunities through the
11 corporation's logging activities and
12 the alcoholic addiction program."

13 Then when I flip over to page 23 of that
14 report I also see in about the middle of the page
15 there, the second full paragraph, a statement that:

16 "For those Indians who remain on the
17 northern reserves resource industries
18 such as forestry, mining, trapping,
19 fishing and tourism..." et cetera,
20 "...probably rank as the most plausible
21 source of employment opportunities."

22 When I read that it suggests to me that,
23 in fact, there is a great deal of faith being placed by
24 several sectors including natives in the forest
25 industry. I guess you will tell them to do otherwise,

1 would you?

2 A. No, I wouldn't. I'm not saying
3 forestry is not a contributor and I certainly think
4 that native bands in particular have to have access to
5 stands for those purposes, and I think that that's
6 probably one of the things that has to be expanded in
7 areas that are to be harvested and that certainly
8 doesn't preclude other areas or areas in proximity to
9 those being preserved.

10 Q. So that when Mr. Esquega in answer to
11 one of my interrogatories on page 20 of Exhibit 2180
12 expanded upon --

13 A. I'm sorry, what page was that?

14 Q. Page 20, right at the very top. It's
15 the collection of answers to interrogatories.

16 Mr. Esquega expanded upon the use of some
17 of the operating surplus funds from the Gull Bay
18 enterprise and talked about the fact that they put in
19 cemeteries, donated turkeys to the people, Christmas
20 presents for the students, made donations to schools
21 for student outings and donated services of heavy
22 machinery.

23 We will talk to Mr. Esquega about this
24 later, but it appears to me that they in fact see a
25 great degree of benefit coming from forestry activities

1 and yet you seem to think that we shouldn't bet on that
2 horse because it is in decline?

3 A. I think if you go back to my
4 statement I said that as a job provider it is on the
5 decline and I don't think that you would argue with
6 that.

7 Perhaps you would argue with that, but I
8 think that the industry and the MNR know that the case
9 is that it is not providing as many jobs as it once
10 did.

11 I have been to Gull Bay. I was in Gull
12 Bay in 1965 when I was working for the Lands and
13 Forests and it was in a sad state at that time
14 socially, housing was in bad shape. I only have the
15 greatest of respect for what they have done to turn
16 around that situation.

17 I get the sense that you think I'm saying
18 we should build a fence around every area where there
19 is a tree in northern Ontario. Certainly that's not my
20 position at all. I think that there are sites that do
21 need to be preserved and my position remains firm on
22 that. It doesn't mean that the industry is going to
23 be -- we are going to put locks on the gates of every
24 sawmill in northern Ontario.

25 Q. I guess the people of Kapuskasing

1 would be glad to hear that, wouldn't they?

2 A. I think they would be considering the
3 state that they are in primarily as a result of the
4 forest management that's taking place there over the
5 last 30 years.

6 Q. I see.

7 MR. MARTEL: Could I ask a question on
8 that?

9 MR. CASSIDY: Sure.

10 MR. MARTEL: My understanding is that it
11 is not a lack of trees in Kapuskasing, but in fact it
12 was the way our friends from the United States managed
13 the whole operation and allowed the mill to totally
14 decline until it was now in need of some tens of
15 millions of dollars of repair and updating, but has
16 nothing to do with the number of trees that are
17 available.

18 MR. CASSIDY: Or the forest management of
19 those trees.

20 MR. MARTEL: Or fiber.

21 THE WITNESS: Well, I think that I have
22 some information from another source and I know that
23 the -- excuse me.

24 MR. CASSIDY: I didn't say anything, sir.
25 Go ahead.

1 THE WITNESS: I was speaking to the young
2 lady beside you.

3 The distances required to travel have
4 been one of the problems in Kapuskasing as well to
5 access timber for the mill.

6 I know of one mill that went out of
7 business in that area, closer to Hearst actually, that
8 they simply couldn't survive having to truck trees that
9 were 8 inches at the butt the distance that they had to
10 for their mills. That wasn't a paper mill, that was a
11 sawmill.

12 MR. CASSIDY: Okay.

13 Q. Can I take you to paragraph 14 of
14 your witness statement and you state that -- I am
15 quoting you here. Do you have that in front of you?

16 A. I'm sorry. Paragraph 14?

17 Q. Yes, page 6. You state that:

18 "We must engage the task of..." and to
19 paraphrase, taking all values into consideration I
20 guess,

21 "...in a socially, economically and
22 ecologically and democratic way."

23 The concept of the democratic way
24 interests me because I am wondering if you would give
25 preference in that way in which you say we should do

1 that, if you would give preference to the aspirations
2 of some forestry-dependent communities such as Elk Lake
3 or Kapuskasing?

4 A. Absolutely. Take Temagami, for
5 example, Milne Lumber went under a few years ago and we
6 have been fighting to get allocations on the east side
7 of Highway 11 directed to that mill. The timber was
8 going down to Arnprior to the Brayside Mill. Temagami
9 probably could have survived with that timber. They
10 didn't get it, they went under, and a few weeks ago the
11 Brayside Mill went under.

12 Q. In terms of something, for example --
13 sorry.

14 A. That timber could have kept the
15 Temagami mill going.

16 Q. In terms of something, for example,
17 like access where the forestry-dependent community as a
18 whole desires greater access to the resource, you would
19 in a democratic fashion give preference to that as
20 opposed to those that might not want access?

21 A. In that particular case I just
22 stated, I think that if we are going to do it
23 democratically we have to be looking at the areas where
24 the mills are.

25 There was one job created by that timber

1 going down to Brayside. I don't see anything
2 particularly democratic about how that was being done.
3 I think that to create jobs elsewhere at the expense of
4 a local economy, if that's what -- you know, if you are
5 asking me if I would localize the democratic process, I
6 certainly would.

7 Q. But in that access context, the
8 hypothetical which I suggest may in fact be quite often
9 the situation, how would you deal with that?

10 Would you give preference to the
11 community if it sought greater access as opposed to
12 those who might not want access who might happen to be
13 in the minority in a local community?

14 A. Oh certainly.

15 Q. Now, just a couple of last questions.
16 If I can take you to paragraph 9, Mr. Graves. You
17 state that:

18 "Wilderness is of immense
19 significance..."

20 We have heard you talk about that briefly
21 this morning in terms of the values of watershed
22 protection, soil protection, et cetera, in paragraph 9.

23 That's on page 4, Madam Chair.

24 Do you have that?

25 A. Yes, I do. Paragraph 9 on page 4,

1 yes.

2 Q. Yes. It is not just wilderness that
3 could provide for those various values, though, is it,
4 Mr. Graves?

5 A. Well, in protecting wildlife habitat,
6 if you feel that clearcut reasonably meets that end I
7 would disagree with you. For soil protection, I think
8 there are other ways of managing that could certainly
9 respond to it.

10 Q. Okay, that's what I'm getting at. I
11 don't mean to interrupt you but, as I understand it,
12 I've had a lot of people I've listened to in the course
13 of the hearing talk about a managed forest could, if
14 it's managed appropriately, and there's lot of
15 differing opinions on that--

16 A. Right.

17 Q. --could in fact achieve those values.
18 And I'm just wondering what your view is.

19 A. Well, my view is that some of those
20 things, watershed protection, could be addressed with
21 the different forms other than necessarily wilderness
22 protection, but that doesn't preclude all of the other
23 reasons for preserving wilderness.

24 Q. Fair enough.

25 But you would agree that a managed forest

1 is one that we would not typically consider to be
2 wilderness?

3 A. Yes.

4 Q. Could, if done appropriately, achieve
5 those values?

6 A. Well, I said for watershed and soil
7 protection I think it could.

8 Q. What about climate stabilization and
9 oxygen production?

10 A. Well, I'm not certain that it could,
11 but I think that is an area that I'm not really an
12 expert in and I don't think I should try and respond to
13 that question.

14 Q. You would defer to an expert who
15 would opine on that?

16 A. I certainly would.

17 Q. Yeah.

18 MR. CASSIDY: If I could just have a
19 minute, Madam Chair.

20 Thank you very much, Madam Chair. Thank
21 you, Mr. Graves.

22 MADAM CHAIR: Any other questions for Mr.
23 Graves?

24 MR. FREIDIN: I have a couple.

25 MADAM CHAIR: Mr. Freidin.

1 CROSS-EXAMINATION BY MR. FREIDIN:

2 Q. Mr. Graves, you've made a comment
3 that you're not opposing timber management but one
4 should be selective in relation to where we harvest.

5 I'm just wondering whether you could just
6 describe for me the circumstances in which you believe
7 it is reasonable to extract timber?

8 A. Well, I think that that is going --
9 to define those areas is going to take a much more
10 intensive process even than this one that we're in
11 right now.

12 I think that, first of all, the forest
13 resources inventories have to be much more supportable
14 than they are then we have to -- in my opinion, we have
15 to move towards that 12 per cent and have that as a
16 goal offsetting those other needs. Certainly it's not
17 something that -- it's going to depend, it's a
18 site-specific thing but, you know, my pressure is to
19 get that 12 per cent dealt with.

20 Q. Right. What did you mean by the
21 comment that you just made, a process other than this.
22 You say this has to be addressed in a process other
23 than this. What did you mean by that?

24 A. Well, these are timber -- these
25 hearings are for timber management, I don't feel even

1 comfortable even commenting or presenting at a timber
2 management hearing.

3 This is not -- I mean, the name in itself
4 conjures up how I think we should be dealing with what
5 is already seen by whomever is involved as simply
6 timber to be cut and milled rather than a process in
7 which decisions will be made that will influence
8 necessarily the allocation of new wilderness areas and
9 cutting allocations in some degree of balance.

10 Q. Okay. You made reference to damage
11 having been done to the forests, I think you were
12 probably referring particularly to this area,
13 between -- going back a long ways up through
14 mechanization, and I think you made reference to
15 clearcutting leading to a lot of damage.

16 A. Yes.

17 Q. Am I correct that if one looks back
18 at the history of this area a lot of the undesirable
19 effects on some of the forests was a result of
20 high-grading?

21 A. Yes, that can be true. Again, it's
22 site-specific. I'm not sure which area in particular
23 you're talking about.

24 Q. All right. And what does the term
25 high-grading mean to you?

1 A. Taking out prime timber, taking out
2 prime timber.

3 Q. Prime...?

4 A. Prime timber.

5 Q. Yes.

6 A. As defined by the industry.

7 Q. And are you able to comment on
8 whether high-grading in fact has caused the damage in
9 the past in this area?

10 A. Well, the area that I have experience
11 with the high-grading actually could be taken as a
12 positive. If you take an old timer into the bush and
13 show him a clearcut now, several of them that I've
14 talked to are sickened by what they see. They
15 considered themselves to log in a much more
16 environmentally friendly manner, and if that meant
17 leaving anything under 25 years or 35 years of age,
18 then that's what they did.

19 Certainly it lent itself to a future
20 forest that isn't even-aged as the monoculture forests
21 are that we deal with after clearcuts.

22 Q. Are you familiar with any literature
23 where the practice of high-grading has been criticized
24 because of its detrimental effect on regeneration?

25 A. No, I'm not.

1 Q. You referred to this 12 per cent in
2 terms of the Brundtland Commission and you said that we
3 fall short of that in this constituency.

4 A. In Ontario.

5 Q. All right. And in terms of the
6 Temagami district, are you able to indicate in an
7 approximate way what percentage of the land base in
8 fact is taken up by provincial parks and particularly
9 the Lake Temagami skyline reserve which is the major
10 reserve.

11 A. The skyline -- considering skyline
12 reserves as wilderness is -- it's not applicable. A
13 skyline reserve is simply a narrow band around a body
14 of water and to call that a wilderness, in my view, is
15 false.

16 I certainly think it deserves to exist
17 but I don't -- I wouldn't calculate that into a figure
18 in regard to wilderness preservation. There are places
19 at the north end of the lake where it's virtually
20 non-existent.

21 Q. Okay.

22 A. You know, I fit that into the -- I
23 know that the impetus for that came from the people on
24 the lake and I support the people on that lake, but I
25 put it into the same category as I do roadside

1 reserves.

2 Back in the late 60s I was driving in
3 British Columbia and saw the sunlight through the trees
4 and took a little hike and, you know, 150 metres from
5 the roadside came upon a mountainside that had been
6 clearcut. I guess I would support the removal of those
7 roadside reserves so the public can really see what's
8 behind them. I think we've got to get rid of the
9 facades.

10 MR. FREIDIN: Okay. Just one moment,
11 Madam Chair.

12 MR. FREIDIN: Those are my questions.

13 MADAM CHAIR: Thank you, Mr. Freidin.

14 Mr. Graves, with respect to your comment
15 that you feel more comfortable in a forum where forest
16 management was being discussed as opposed to timber
17 management, are you participating in any way in the
18 work of the comprehensive planning council at Temagami,
19 and I ask that because we received evidence from Dr.
20 Brozowski last week.

21 THE WITNESS: Brozowski. A good friend
22 of mine is on it. I think my name was put forward and
23 I wasn't one of the people selected to be involved with
24 the panel. Beyond that, no I haven't had any direct
25 involvement with them.

1 MADAM CHAIR: And so you don't have any
2 views about whether you would support the objectives of
3 that council or what they're accomplishing?

4 THE WITNESS: I think it's -- Temagami is
5 in such a strange state right now, there are more
6 committees and panels looking at what's going on.

7 My own feeling is that that comprehensive
8 planning shouldn't be taking place until the land
9 claims issue and the Native rights to land is settled
10 and then we should be dealing with the Natives.

11 MADAM CHAIR: Thank you, Mr. Graves.

12 Thank you.

13 THE WITNESS: Thank you.

14 MR. MARTEL: At the speed we have settled
15 Native claims, how long might that be?

16 MR. GRAVES: Well, they're actually
17 involved in negotiations again right now, so they have
18 said they want to accomplish it by January of next
19 year.

20 MR. MARTEL: In a historical perspective
21 though, Mr. Graves.

22 THE WITNESS: Oh, I sympathize, yes.

23 Mr. Zylberberg, it's 20 to 12:00. Did
24 you want to call any other witnesses this morning?

25 MR. ZYLBERBERG: Yes, I actually wanted

1 to ask a couple of more questions of Mr. Graves--

2 MADAM CHAIR: Pardon me, of course.

3 MR. ZYLBERBERG: --to clarify if I can
4 and then call another witness.

5 RE-DIRECT EXAMINATION BY MR. ZYLBERBERG:

6 Q. You were asked about the concept of
7 high-grading to which you gave qualified praise.
8 What's the difference between high-grading and
9 selective cutting, and was it the one that you intended
10 to give qualified praise to or the other?

11 A. Selective harvesting is what I was --

12 Q. What is the difference then in your
13 mind between those?

14 A. I think that selective harvesting
15 takes place in a much more carefully planned manner and
16 is not simply a question of removal of timber, it's --
17 selective harvesting is something that should be taking
18 place on a very carefully planned manner on a larger
19 scale in Ontario. You know, in my opinion we should be
20 doing more selective harvesting than...

21 Q. You also commented on removing some
22 of these reserves so that the world could see what was
23 going on. Was that a serious proposal you put forward,
24 or was that simply a way of pointing out that things
25 that people can't see don't concern them?

1 A. Well, I think it's a serious proposal
2 for that reason. It shouldn't be -- people -- the
3 level of awareness has to increase and that can only
4 happen if things like reserves don't blind people to
5 what really is taking place.

6 MR. MARTEL: Can I ask one question then.
7 What would you do where you're in fact harvesting not
8 for lumber per se but for pulp, for example, black
9 spruce, you don't consider -- or are you considering
10 that selective harvesting should be done there as well?

11 THE WITNESS: No, no.

12 MR. MARTEL: No, I just wanted
13 clarification. Thank you.

14 THE WITNESS: Yes.

15 MADAM CHAIR: I think that's it then, Mr.
16 Graves. Thank you very much.

17 THE WITNESS: Thank you very much.

18 MR. ZYLBERBERG: The next witness I plan
19 to call could probably be questioned before lunch, if
20 you wish, and I'm certainly in your hands and the
21 comfort level of everyone in this room is of purely
22 upright importance.

23 MADAM CHAIR: Mr. Zylberberg, perhaps we
24 will go ahead and hear at least the
25 examination-in-chief of Ms. Peggy Walsh Craig and we

1 will see if there's any cross-examination of that
2 witness, and then we will break for lunch.

3 Hello.

4 MS. CRAIG: Hello.

5 MADAM CHAIR: Would you like to have your
6 evidence affirmed or sworn in, Ms. Craig?

7 MS. CRAIG: Yes.

8 MR. ZYLBERBERG: You have a choice.

9 MS. CRAIG: I'm sorry.

10 MADAM CHAIR: Do you wish to have your
11 evidence sworn on the Bible or affirmed?

12 MS. CRAIG: Affirmed is fine.

13 PEGGY WALSH CRAIG; Affirmed.

14 MADAM CHAIR: Thank you very much.

15 DIRECT EXAMINATION BY MR. ZYLBERBERG:

16 Q. Ms. Craig you live here in North Bay?

17 A. Yes.

18 Q. And you're an active member of
19 Northwatch and other environmental organizations?

20 A. Yes, I am.

21 Q. In your statement that was filed you
22 indicated that your purpose in making it was to express
23 the measurable spiritual values of forest.

24 Can you talk to that a little, what do
25 you mean by that?

1 A. I mean that the values that -- there
2 are many values that can be placed on forests and one
3 value that is often not well defined or discussed is
4 the spiritual values, that is the amount of inspiration
5 and the amount of more deeper values that people derive
6 from experiencing the forest.

7 Q. And you talk about in your statement
8 to people who in a sense is sacred in the forest. Is
9 the vision you have of forest one that requires that
10 you be a believer in a creator or supreme being to
11 enjoy?

12 A. I think that this kind of worship
13 cuts across all kinds of religious boundaries. I think
14 that both believers and non-believers in a greater
15 power can sense something in the forest that brings a
16 meaning in their life, you know, covering the gamut
17 from people who just feel better there, from people who
18 take active part in ritual and ceremony in the forest.

19 Q. Are there a lot of people known to
20 you who actively seek out wilderness area for prayer or
21 for meditation?

22 A. Yes. I would count those numbers of
23 people far greater than what are usually represented.
24 I think there's sort of a social stigma attached to
25 people who might be called tree worshippers, so that

1 it's not well -- I mean, people don't go out with
2 bumper stickers and buttons that say I worship trees,
3 but that people, for instance, I would say hunters who
4 feel that their annual ritual of hunting I think also
5 involves some kind of feeling of well-being being in
6 the woods and that there are -- it's a greater portion
7 of society than what is usually felt or known.

8 Q. Speaking for yourself and I suppose
9 for others who feel like you, can you describe the
10 losses that you would feel if there were no more
11 unmanaged forest, if there were no more wilderness
12 forest?

13 A. I think it would -- the closest thing
14 that I could relate it to is what happened in Russia at
15 the time of the communist take over when the churches
16 were destroyed.

17 A great deal of that worship had to go
18 underground and the kind of worship that was being done
19 can be done in buildings, in small groups, however,
20 with the destruction of old growth forests this is not
21 a feeling that one can easily transfer to small closed
22 rooms.

23 Q. Can you try and explain the
24 difference between the spiritual sense that you feel in
25 a wilderness forest and the spiritual sense that you

1 feel in a tree farm.

2 A. A spiritual sense, the second one?

3 Q. That you feel in a tree farm?

4 A. In a tree farm?

5 Q. Yes.

6 A. Well, I think a lot of the feeling
7 that people derive from the wilderness area is one of
8 unfettered, unmanaged freedom of expression, freedom of
9 inspiration. I have a lot of experience with tree
10 farms and everything is in neat rows and there is
11 not -- it's usually -- they strive not to have any
12 weeds or other species that don't fit, and that is much
13 more of a controlled and managed nature.

14 It's quite possible to feel inspiration
15 there too, speaking for myself, but it is not anything
16 like the experience of being in a place that has come
17 about naturally.

18 Q. How would you propose that this Board
19 in addressing future timber management planning advise
20 the province so that the values that are important to
21 you might be protected?

22 A. I think that there are a lot of
23 specifics that the Board will need to be dealing with
24 in terms of timber management in a practical sense,
25 however, it is my view that all the decisions to be

1 made in the area of timber management should be made
2 with the idea of what is good for the people seven
3 generations from now.

4 I think that our forests to date have
5 been managed with the idea of economic gain. I think
6 that until we start to look at what is good for our
7 children's children's children we won't have a good
8 plan.

9 MR. ZYLBERBERG: Those are my questions.
10 Maybe others will have some.

11 MADAM CHAIR: Any questions?

12 Thank you, Ms. Gillespie. Mr. Freidin.

13 MR. FREIDIN: No questions.

14 MADAM CHAIR: All right. I see that Mr.
15 Cassidy isn't here, so I'll assume he doesn't have any
16 questions either.

17 All right. Thank you very much. Shall
18 we take our lunch break now?

19 MR. ZYLBERBERG: fine.

20 MADAM CHAIR: And we will be back at --
21 we will continue at 1:30.

22 ---Luncheon recess at 11:50 p.m.

23 ---On resuming at 1:30 p.m.

24 MADAM CHAIR: Please be seated. Good
25 afternoon, Mr. Zylberberg.

1 MR. ZYLBERBERG: Good afternoon Madam
2 Chair.

3 MADAM CHAIR: Are you ready to begin?

4 MR. ZYLBERBERG: Almost. We have two
5 witnesses to call together and one of them is going to
6 be here in a second.

7 MADAM CHAIR: All right.

8 MR. ZYLBERBERG: We left him down the
9 hall.

10 MADAM CHAIR: All right, we will wait.

11 ---Short recess

12 MR. ZYLBERBERG: Madam Chair, we are
13 prepared to proceed.

14 These are Norman and John Aguonia.

15 MADAM CHAIR: Good afternoon, gentlemen.
16 Thank you for coming today.

17 MR. ZYLBERBERG: Do you prefer to be
18 sworn or affirmed or simply to give your evidence.

19 MR. JOHN AGUONIA: I'd be satisfied with
20 the affirmation.

21 JOHN AGUONIA,
22 NORMAN AGUONIA; Affirmed.

23 MADAM CHAIR: Thank you, sir. Thank you
24 very much.

25

DIRECT EXAMINATION BY MR. ZYLBERBERG:

Q. The two of you are brothers, I understand?

MR. JOHN AGUONIA: A. Yes.

Q. That John, you live in Blind river?

A. Right.

Q. And Norm you live in Sheguiandah?

MR. NORMAN AGUONIA: A. Right.

Q. That the two of you are Ojibway people?

A. (nodding affirmatively)

Q. And that both of you are -- both of you know a great deal about the culture and traditions of your people and actively practice them. Would I be right in that as well?

A. (nodding affirmatively)

Q. I wonder if the two of you might be able to tell the Board something about the importance that the forest has in the culture, traditions, the teachings of the Anishinabi people?

A. I myself have a strong interest in that because of the teachings that our people have handed down that talks about the maintaining of those forests and also maintaining the lands, the water and the air, that they all work together, and that is the

1 future for us, what we are going to leave for our
2 children.

3 And when I think about those things even
4 though our teachings that we've been given orally,
5 verbally, there's a lot of other things that come into
6 play in regards to history which talks about waste. So
7 there's a concern there for most of the Native people
8 about that.

9 I guess there's so many things that need
10 to be said that the Native people want to contribute
11 more towards the management that is being done right
12 now and the management that has been done in the past
13 also.

14 It's come a time when the Native people
15 have -- we have to take on our own responsibility but
16 also share that responsibility. We are sharing that
17 responsibility here today, as I understand.

18 Thinking about our future in regards to
19 forestry, it seems like we can't just talk about
20 forestry just alone, the water, it's a whole system
21 that needs to be discussed, and that's the way we have
22 been taught, that is the way we have always looked at
23 the land, the water and the air, everything together,
24 one is going to affect the other.

25 Q. Can you perhaps share with the Board

1 some of the traditional teachings about the forest.

2 A. Yeah. There's a lot of stories,
3 short stories and teachings that have been told to our
4 children a long time and it's because of those stories
5 that the Anishinabek people have tried to respect and
6 maintain a clean forest, clean land.

7 Now we're dealing with things that --
8 we're dealing with things today that we never had to
9 deal with before, and I would like to share a little
10 story that talks about -- the Anishinabek people, one
11 time they were very, very rich, very prosperous,
12 everything was clean, everything was very prosperous,
13 it was a time of giving, it was a life of giving.
14 There was no competition because it was a time of
15 giving and everyone was so rich.

16 The health was good and the people,
17 people were good with each other, they communicated
18 really well, they used their language that the creator
19 gave to them and they used everything that was there
20 and they didn't waste any of it. Whenever an animal
21 was seeked out for food it was used for other things
22 also, totally.

23 And as it's said that something happened
24 at one point and the people began not using all the
25 land, they began not using everything that they

1 obtained from the earth, began to waste, and that's
2 when they began being very poor and they got so poor
3 and hungry that they were so sick, they got sick and
4 they became so weak that whenever one of them fell to
5 the earth their life was complete, it was ended at that
6 point. That's how weak they became.

7 It was said there was a young man amongst
8 the people who was -- this young man was trying to hold
9 the burden of the people on his shoulders and it got so
10 heavy he didn't think he could go any further but he
11 had this one little feeling in his heart, that feeling
12 that he listened to and guided him away from that
13 burden and it helped him, it lightened it.

14 And where it led him to was to a tree and
15 he went and he sat under that tree and as he sat there
16 he was enjoying that feeling of getting away from that
17 burden. The longer he sat there thinking, meditating,
18 praying, soon the wind came up, picked up and it got
19 stronger and stronger and it made all the leaves on
20 that tree move. The stronger the wind got the louder
21 the leaves got. Pretty soon it was so loud all them
22 leaves sounding like little bells and the sound was so
23 loud, so tremendous it went right through that man, it
24 vibrated right through that man and purified him.

25 Now that man he was pured, that he could

1 understand that tree, he could feel that tree, what
2 that tree was saying and that tree told him, he said,
3 if you go to this certain tree and talk to that tree in
4 this certain way, communicate with the tree, he said,
5 that tree will give you that bow that you need. And he
6 said, if you go to this other tree and talk to that
7 tree in this certain way, in a respectful way, he said,
8 that tree will instruct you for the string for that
9 bow, the roots. And he said if you go to this third
10 tree and you talk to that tree in a certain way, he
11 said, that tree will give you that arrow, instruct you
12 how to make that arrow and to use it properly.

13 He said after you have done that, then
14 you go out. So that young man he did that, what he was
15 told, he was instructed to do. All along the way he
16 had kept in mind how hungry the people were, how hurt
17 and sick they were. So he went and did that, what that
18 tree told him, he went to those three trees and he
19 talked to those trees and communicated with them.
20 All in all there was four trees that he had talked to
21 and he talked with and he got that bow and that bow
22 string and that arrow and then he left there with that
23 bow and arrow.

24 Where he went, he just walked and he seen
25 a deer. The first thing he seen was a deer and the

1 deer in our culture, the native culture was said to be
2 the last clan, the last ones. They went astray. There
3 are many stories that talk about that particular part.
4 I don't think we have time to really get into all of
5 that today, but maybe there will be a time soon.

6 So that young man when he seen that deer
7 he was really happy. He thought about the people and
8 that deer, the head one, the spirit one, when he seen
9 that young man and that bow and arrow he knew what that
10 meant and he talked to the rest of the deer and he told
11 them. He said: We are not lost any more. He said: We
12 have been acknowledged for our purpose. In the animal
13 world, animal stands for -- symbolically for generosity
14 and practically too. Like, he gives his life so that
15 others can live. That's how generous he is.

16 That young man was very happy, very
17 honoured that that deer was giving his life. He
18 offered himself and that man lifted that bow to shoot
19 towards that deer and it was that way that he didn't
20 even have to aim, that arrow went right straight and
21 found that deer and it opened everything up.

22 That young man, he picked up that deer
23 and put it on his shoulder and he walked home and he
24 put it down amongst his people, put that deer on the
25 ground and the people were so happy because they had

1 been so happy and so sick. They celebrated out of
2 respect, they celebrated for that deer and the story
3 and everything that that young man went through for his
4 people.

5 They honored that deer and they said that
6 they would always respect that and they used every bit
7 of that deer. They didn't let anything go to waste.
8 Everything that was there was used and that was seen --
9 the creator had seen that it had gone full circle from
10 the way that people lost their poverty, their richness
11 of life and that's the way it is with our culture.

12 As Anisnabai people, we have let go of
13 those things to take on another way of life. Sometimes
14 we fall astray from our own values, our own natural
15 morals that we have, that have always been on that land
16 that we live in. Today what we call North America,
17 Turtle Island.

18 The Anisnabai people become very confused
19 a lot of time with different ways of life, but it is
20 those values that we were given in our teachings that
21 tell us we are not going to take a deer and take the
22 hind quarter and leave the rest or take the hide and
23 leave everything or just take the meat and not take the
24 hind. Everything had a purpose. Everything on that
25 deer had a purpose at one time. Everything was used

1 and in a very practical and very sacred manner.

2 Today there are Anisnabai people that
3 aren't doing that and the reason I'm talking about that
4 is because of those values, that those values could
5 reflect a lot and contribute a lot as to what we are
6 talking about in regards to forestry, in regards to
7 forest management that we are talking about here. I
8 would be willing to help any way that I can.

9 Q. Norman, how important is it that
10 there be a forest with a multitude of species of
11 different kinds of trees and plants and animals for the
12 Anisnabai culture?

13 MR. N. AGUONIA: A. Extremely important.
14 I guess it is beyond description what would happen, and
15 most everybody in the room is probably aware it is
16 because of the lack of promises being kept in some of
17 our treaties in regards to why our people are so sick
18 now as it is.

19 For example, diabetes in our community is
20 as high as 80 per cent in a lot of the community and a
21 lot of this is contributed exactly from being taken off
22 a particular diet which was tradition. All of the
23 wildlife game was pure and clean at one time and now we
24 are forced into eating domesticated animals that are
25 pumped with all kinds of chemicals and whatnot and we

1 are really a sick nation, and I speak only of the
2 Ojibway.

3 Q. As I read through your statements it
4 seems to me two things that you are saying are similar
5 but not the same. One of them is traditionally
6 Anisnabai people have depended on the forest and what
7 the forest provides for food, for shelter, for things
8 that are necessary in life and the second being that
9 traditionally the forest has also been a source of
10 inspiration of spirit value, of a sense of place for
11 the Anisnabai people.

12 Am I right in seeing those as similar but
13 not exactly the same or to you are they exactly the
14 same thing?

15 A. Pretty much the same thing I guess.

16 Q. Can you talk a little bit about the
17 sense of place and belonging and tradition that the
18 forest gives?

19 A. At the time -- if I can speak of the
20 Robinson Treaty which I am a member and probably the
21 most familiar with. At the time of treaty signing the
22 main thing retained from being ceded over to the
23 government at the time was the wildlife and it was
24 strictly understood by our people that all of this
25 wildlife was our livelihood. If that wildlife was gone

1 we were gone was the thinking at that time.

2 To this day, you know, between the
3 overuse by the society and pollution and whatnot, you
4 know, we are slowly going downhill. In fact, I
5 shouldn't say slowly, we are rapidly going downhill.
6 It is too much use, overuse all of the resources. Not
7 only timber resources, but everything that comes from
8 that; the water surrounding it, the earth, everything
9 from what I have seen.

10 Q. In your statement, Norm, you
11 commented on the water quality that you have seen
12 deteriorate as a result of the timber extraction. Can
13 you maybe tell the Board about that?

14 A. Yes. It's surprising how -- and I
15 will use Bark Lake as an example which is north of
16 Webbwood and just below Ramsey.

17 I went fishing three or four years ago
18 and after casting a four-inch red and white daredevil I
19 was surprised how those pike in there can see the lure
20 the water is so black. I have noticed in Webbwood, I
21 went scouting there for a while last fall, it is not
22 only black, but it is drying up.

23 I understand from the book put out by MNR
24 that there is supposed to be lake trout in there. I
25 don't know if anybody here is familiar with Spinweb

1 Lake, but it is named because it is like a spider's
2 web. It has these long channels, six I think, like a
3 star-shaped lake.

4 In my scouting trip out there this past
5 fall there is only one of those channels that are
6 passable by canoe anywhere, three or four miles, and
7 you can run a small motor, a small boat. You may have
8 four or five inches of water that is like mud. I don't
9 know if fish can live in there or not, but one out of
10 the five or six is still usable and still have fish
11 surviving in it.

12 I'm not a professional, but I assume that
13 a lot of that is because of all of the forests cut over
14 in that particular area, but it's really -- it just
15 looks like old swamp water. If you go into a swamp in
16 a small beaver pond, for example, it is real black and
17 smelly and it's almost to that stage now, some of those
18 lakes up there.

19 Q. John, in your statement you talk
20 about some of the traditional dances and festivities
21 that celebrate the trees and the forest. Can you maybe
22 talk to the Board a bit about that?

23 MR. J. AGUONIA: A. Almost all of our
24 ceremonies and rituals in the valleys that go with
25 those ceremonies talk about the respecting of lands and

1 there is always a drum that's used in ceremonies and
2 that drum is made from that tree and our teachings tell
3 us that that tree represents the truth, that
4 straightness.

5 All trees in the forest may not be
6 straight, they still may have a purpose, but the trees
7 represent truth, honesty and it is to keep the people
8 that way, to be honest with themselves, to be honest
9 with each other and to be honest with the creator and
10 in that way they will be maintaining that respect, the
11 honour for the earth.

12 When we are doing our ceremonies it is
13 very very important that, for instance, when somebody
14 goes out on a vision quest, a spiritual fast, when he
15 returns he has had those berries and the rice and the
16 corn and the wild meat. It's very important that those
17 are there because there is teachings that go with that.

18 Now, a lot of times we have -- ceremonies
19 means a feast. It means a feast for all the people.
20 You are feeding the people and you need those things
21 and it's hard to get those things. Once more, they're
22 chemically treated and we're trying to get away from
23 that as much as we can.

24 There are many things that society has
25 that are very good. For instance, the Anisnabai people

1 have always used the tobacco also in its ceremonies.
2 Now we use it a little more differently today. They
3 have some 72 chemicals added to it, in cigarettes.

4 That's how our system has changed
5 drastically, dramatically, that tobacco is considered
6 sacred and always used in a sacred manner and with the
7 Anisnabai people getting up we're hoping to achieve
8 that rather than adding more chemicals take some of
9 them out of there because it's not necessarily the
10 tobacco that we were addicted to. It's the chemicals.

11 Our system screams out for that, but the
12 tobacco itself is considered sacred if it's mixed with
13 other different herbs and things to be smoked.

14 Those are the kinds of predictions or
15 dilemmas that we were in with the Anisnabai people, yet
16 supposedly we have our rights to practice our culture.

17 Well, our culture it is out there on the
18 lands and in the bush, in the water. That's where it
19 is. I think -- you know, I'd have felt a lot more
20 comfortable if we were out there sitting today rather
21 than here. That's me. That's the way I am. I will be
22 comfortable in that setting.

23 As it was said, let these trees hear what
24 we're talking about, what we have to say. They have
25 been considered a life, that they have a life. That's

1 why they are life given and they have a spirit. Those
2 are beliefs and values that we have always had and to
3 treat them with respect because they are alive.

4 Q. Is it possible for the culture of
5 Ojibway to survive without wilderness?

6 A. I don't know. We have survived an
7 awful lot in our past. It seems that we have become
8 immune to everything in some way or another. We have
9 been able to pull through.

10 Throughout the things that have happened
11 to the Anisnabai people, yes, I think we could survive
12 because of our beliefs, our determination. Depriving
13 the Anisnabai from the forest, the waters only makes
14 the determination stronger, to want the drive more, to
15 want that and to not stop until you get it, until you
16 get to be there because you know the creator put it
17 there for you.

18 Q. Is there a traditional teaching of
19 the Anisnabai as to how the forest came to be?

20 A. How the forest came to be?

21 Q. Yes.

22 A. Well, it is talked about in a way of
23 the creation study, how everything was created. That's
24 why we still turn to the trees and we use the trees in
25 the ceremonies, we build our lodges. We use that tree

1 to make the pipe and that pipe talks about truth.

2 Before any gathering such as this, many
3 times people would smoke the pipe to signify that tree
4 was sent here to bring truth, to carry that truth and
5 to hold it and our pipes come from them. So that what
6 we talk about was going to be in truth and also in
7 peace. The pipe is known today as peace.

8 When we make our sweat lodges we use
9 those little trees to make that lodge, dome-shaped
10 lodge which is circular. Many things in our culture
11 are circular and with that tree making that lodge,
12 bringing that truth also in sweat lodge we use rocks
13 from the earth.

14 All these things, what we call things,
15 they have been here before man, before any of us,
16 survived without us and they are witnesses as to what
17 happened to our history and they bring that truth and
18 that strength.

19 Our people still rely on those things.
20 They still have a very strong belief and in that strong
21 belief is a strong respect. When there is no belief
22 there is likeliness to have no respect. It's very
23 critical.

24 Q. Norm, have you found -- I notice it
25 is very important to you to have the ability to find

1 wildlife, to hunt, to fish. Has the ability to do that
2 been affected by logging practices that you have seen?

3 MR. N. AGUONIA: A. Since I started
4 hunting moose, specifically moose hunting, yes, it's
5 getting increasingly harder and it seems like it is
6 going to be even harder now after last week's meeting
7 in Sudbury.

8 I don't know if anybody is familiar with
9 the statement made today. Apparently it's going to be
10 open season this fall on natives up in northern areas,
11 in treaty hunting areas, but in clearcut areas, you
12 know, there is absolutely nothing there.

13 In Plurid Township, the first time I
14 hunted there those little pine trees, they were maybe
15 three feet high, four feet and to this day I go up
16 scouting at least one trip every fall there and I don't
17 see any blueberries growing underneath there at all.

18 About all that there is there is you run
19 into an odd fox and a few moose. There is a very odd
20 pack of moose that travels from one area of a cut-over
21 area and it might be miles to go to see a place where
22 it hasn't been cut over and it's getting extremely
23 difficult to find moose up there, at least where we
24 have access to, and I'm talking about the logging
25 access roads.

1 Possibly further up off the road there
2 might be some, but then again we have ran into some
3 older non-native hunters that claimed we are getting
4 thinned out too because of rich Americans and Ontarions
5 that are able to fly in. They haul them out in
6 helicopters or planes. So I don't know for sure. It
7 would be nice to get into an area that hasn't been
8 hunted too much, but it is getting increasingly
9 difficult.

10 For example, from where we live and where
11 we hunt, I probably for one moose, and that's just I
12 think very -- what's that word. It's a very ballpark
13 figure, maybe a hundred dollars I spent for one moose,
14 you know.

15 Q. Around Manitoulin and around the
16 North Shore, those areas have been heavily logged.
17 Would I be right in figuring those areas are heavily
18 logged?

19 A. Manitoulin?

20 Q. Yes.

21 A. Yes, they are still continuously.

22 Q. Has that affected wildlife and water
23 quality on Manitoulin and along the North Shore?

24 A. Well, I wouldn't say exactly what
25 caused the moose to move off of the island, but

1 apparently at one time the native people - and I guess
2 this will be sometime prior to the original treaty -
3 that the native people, the number of native people on
4 the island at one time, they used to average 2000 moose
5 a year and the whole island was reserve at that time.

6 There is an odd moose that passes through
7 now. We had, for example, about six years ago a huge
8 bull and cow that wintered right in where the deer yard
9 was on the very southern corner of our reserve. Come
10 springtime there is no sign of the cow, but just off
11 the reserve the bull carcass was found with the hind
12 quarters taken off. We know it wasn't any of us people
13 from our own community that took it.

14 Q. You were talking about this meeting
15 in Sudbury and the statements by the anglers and
16 hunters.

17 A. Right. I was quite perturbed about
18 what I heard there. They had declared open season on
19 native as I read it.

20 Q. Has the Ministry lived up to the
21 responsibility to inventory the non-native users of the
22 forest, about hunting rights and trapping rights in
23 respect for native rights?

24 A. No, I don't think so, not by what I
25 saw on TV and what was reported about the meeting of

1 last week.

2 I think that's part of the whole problem.
3 These other non-native users, you know, have failed for
4 some reason, either because of not being informed by
5 the professionals or not caring themselves, to inform
6 them of what rights we have and what we believe
7 conservation is as compared to other outside user
8 groups. I don't know. It would sure be nice.

9 We had some very close calls. Last fall,
10 for example, we just about had a gage gun pointed at
11 us. We have rights in the middle of our treaty area.
12 From last week I don't want to guess what is going to
13 happen to us. We hate to go up there and have armed
14 guards up with us to protect our equipment while we are
15 in the bush, but after seeing what happened last week
16 I'm completely disgusted about what I saw.

17 Q. What do you think the Ministry of
18 Natural Resources could do that they are not doing?

19 A. I think that they should get into
20 some real PR campaigning. I guess it is probably the
21 wisest way and probably with workshops, with different
22 user groups and try and explain, you know, what we're
23 trying to do to retain our treaty rights and also we
24 have to some day hopefully when it is incorporated into
25 the constitution, we will have some...

1 We do have users in our own community of
2 the resources, specifically fishing and wild game, but
3 I think that's probably the first step in probably a
4 number of steps that could be taken.

5 I guess I can go into a lot of detail
6 about some of the experiences I have had as far as
7 conservation officers are concerned. I will go into
8 one quick one.

9 A man and his wife fishing just off
10 Strawberry Island there got caught and I think they
11 were one fish over the limit and the MNR officer goes
12 over there and he says: Okay, you are only going to
13 get a warning this time.

14 When we comes over to -- my buddy and I
15 were fishing there and he came in there the week before
16 to check on how many fish we had. He refers to us --
17 he says: It is the same bad guys back here again.

18 What's the difference there? Do you get
19 my point? I think those things shouldn't happen.

20 So informally I was talking to a couple
21 of his superiors from the Espanola District a few weeks
22 after that at a meeting and I wasn't making a
23 complaint. I was making a point to his superiors that
24 some of those conservation officers have those
25 attitudes and apparently one of the superiors went back

1 and reprimanded this conservation officer.

2 I think that guy wanted to shoot me the
3 next time, was he ever mad, and he insisted that I made
4 a complaint. No, I never. It was a very informal talk
5 that we had. I know both of his superiors quite well
6 and, you know, those types of things.

7 I think the conservation laws aren't
8 enforced as they should be. I think there should be an
9 awful lot more enforcement.

10 Q. Could I ask both of you to answer
11 this question if you could, and one of the things that
12 we're talking about in this process is involving First
13 Nations in timber management planning along with the
14 other groups.

15 To what extent, if any, do you think that
16 anti-Native semitism, racism is going to interfere with
17 the Natives and non-Natives to plan together for the
18 forest?

19 A. The last part of your question again?

20 Q. Do you think that the anti-Native
21 sense is going to be found -- is going to have any
22 effect on the Natives and non-Natives to plan together
23 for a forest?

24 A. There might be some slow down. I
25 think at this point I would probably be safe to say

1 there might be some slightly slow down on progress, but
2 I think it's the only way out of this predicament, you
3 know, that forestry and wildlife is in.

4 Now, I think we are going to -- and when
5 I say we I mean us, the Native people, and hopefully
6 the people that are going to be sitting around the
7 table and hopefully get a better management - that's a
8 poor choice of words - but in my eyes I think it's to
9 get a better management in place rather than just, you
10 know, clearcutting and wasting all other non-pine or
11 non-spruce species, you know, just push aside and burnt
12 from some of those cut-over areas.

13 But I don't really see that much holdback
14 or at least being sidetracked from, you know, some of
15 these organizations that are going to be opposed to
16 what we're trying to do.

17 MR. J. AGUONIA: A. I would like to
18 backtrack just a little bit and say about a month ago a
19 moose left Blind River heading for Manitoulin and he
20 never made it, never heard anything about it.

21 Yeah, that's what I feel too, that I
22 guess when you ask that question -- I'm asking the
23 question: How come it's taken this long in history to
24 really be able to sit down and really work together,
25 what's kept us apart when we are concerned about the

1 forest, is it values, morals is it things like that.
2 Some of us might be in it for economy, some might be in
3 it for other things but, at any rate, it's very
4 important that we see eye to eye as to what's there
5 because it's our future, all of us, and for our
6 children whether we realize that or not.

7 The other thing is I can't say too much
8 really about the non-Native like -- but I can say about
9 some of the things Norm was talking about the abusers
10 in our own communities, in Native communities, I can
11 speak about them because I'm a part of them, I know
12 them and many of those ones who are doing it are doing
13 it usually for economy reasons, for sale, and those are
14 usually the ones nine times out of 10 - most times it's
15 10 times out of 10 - who don't understand their own
16 cultural values what they're doing.

17 And that is why we have different sets of
18 people getting up, some are true and some are false,
19 and it's hard to sort out at this time. I'm expecting
20 that perhaps it's the same story the same way in
21 non-Native communities also or values or culture, and
22 there may be those clashes there too.

23 Q. Do you think that cooperation in the
24 planning process requires that everybody involved
25 understand Native Treaty rights?

1 MR. N. AGUONIA: A. Yes, I think that is
2 only one part of it. I think there has to be an
3 attempt, a stronger attempt made I think by the larger
4 society to try and understand some of our cultural
5 values.

6 Like, for example, I heard people talk,
7 Johnny mentioned, that everything is life, even the
8 rocks have life in them, but one of our cultural
9 activities that we used to have and it's just now being
10 reborn again because of being brainwashed, you know,
11 through the residential school system, and in the past,
12 prior to too much of this encroachment on our culture.

13 For one example, before any tree was
14 used, the larger -- for example, an Indian goes out and
15 he wants to cut some firewood in that particular area
16 where he's going to cut, he will stop and he will offer
17 some tobacco and he will talk to that big tree, the
18 biggest one in that area and he will ask for the use of
19 those smaller trees, you know, I need it for warmth
20 this winter and that type of thing.

21 But, you know, the larger society seems
22 to think that that is backward or something, maybe we
23 shouldn't be listening to those people, they talk to
24 trees those guys, you know, and that's the attitude.

25 I think there isn't that extra effort,

1 you know, and it's been said by professionals, by the
2 top leaders in the governments of Canada today that,
3 you know, the Indians aren't going anywhere, you know,
4 after 500 years they're still here and we're not going
5 anywhere, so why in the hell don't we get together and
6 try and do something about these problems that we have.

7 And I think that's where a lot problems
8 are coming from is because of misunderstanding and a
9 lack of the larger society trying to understand a
10 little bit more of, you know, what values we live by,
11 what we're trying to relearn.

12 As I mentioned before we have abusers in
13 our communities too and it's because of the
14 brainwashing what they've seen, you know, this larger
15 dominant society doing, for example, sport hunting or
16 sport fishing, shooting a moose just for the head type
17 of thing, you know, they advertise, they show on TV,
18 you know, that some of our people have picked up those
19 bad habits.

20 40, 50, a hundred years ago we hardly
21 ever seen anything like that because there was still a
22 fairly strong sense of our culture and activity in our
23 culture in regards to those things.

24 But understanding the Treaty rights I
25 think is just -- is just a part of it. There's all

1 kinds of other things that could be looked at, but I
2 think those are two of the main things that were being
3 misunderstood all of the time, you know.

4 And if I could just mention another
5 example, our reserve used to have quite a large cedar
6 forest and poplar and bam I guess for pulp and the
7 elders always said: Well, leave that alone, you know,
8 we will give out little permits for 20 posts or
9 something, you know, somebody feels he sells it for a
10 few dollars. Until two years ago we had a pretty nice
11 bush, there was lots of deer there, you know, we had
12 deer any time we wanted.

13 And because of the politics, the Indian
14 Act, two years elections that we have, this one guy
15 promised one of our band members, you know, if you vote
16 for me, you know, we will let you have all the permits
17 you want. So the guy got elected and he gave this guy
18 huge permits and what a jackpot in there now, you know.

19 The deer are gone, the elders are, you
20 know, absolutely dismayed at what happened to that bush
21 all because of a few dollars and the guy probably drank
22 up maybe 50 per cent of what he made out of that timber
23 that he cut-over there, you know, just decimated our
24 little forest that we had there.

25 Those types of things, you know, if we're

1 trying to get those guys to relearn some of the
2 traditional values and not do those things. You know,
3 I used to be very proud as an individual and as a
4 Native to see that little bush, you know, just sitting
5 there to be used, you know, for nothing else but except
6 maybe to look at and with the wild game in there, you
7 know, there was everything in there but moose, and
8 there's nothing now, it's just a big jackpot.

9 And, as I said earlier, until we can get
10 some authority to regulate some of our own people, you
11 know, we are going to continue seeing abuse like that,
12 not only in our own communities but, you know, on the
13 Crown lands that we have in the very limited access to
14 now as far as, you know, what's been happening in the
15 last couple of years.

16 Q. Before others are asked if they have
17 any questions of you, is there anything else either of
18 you would like to tell the Board?

19 MR. J. AGUONIA: A. I guess that same
20 question, environmental biology and human biology was
21 used to a great extent when those treaties were signed
22 and those same discussions are still coming out today
23 about the reasons and the translations, what those
24 treaties meant. A lot of the words changed since that
25 time.

1 Much of it, most of it was done not in
2 our own language, you know, but the translation why
3 those things is still there amongst our people, and I
4 think that is part of the struggle today, why we are --
5 why there's a clash and conflicts controversies to that
6 extent in regards to the perceptions the Native people
7 hold in regards to forest management timber and those
8 things, they stem back to that time, and we are still
9 holding -- we are still talking about the same thing,
10 still talking about the garbage, everything, the waste.

11 Thank you all for listening. I
12 appreciate this time and I hope that if there's
13 anything we can contribute towards the betterment of
14 our forests, whether it's rearranging the management or
15 whatever it takes, I would be more than happy to help.

16 MR. N. AGUONIA: A. I feel the same way.
17 I'm going to make it a point -- I hesitated when I was
18 originally asked to sit on this, to make a statement
19 before this committee here, but I think I would be
20 doing injury to my grandchildren if I just sat back and
21 let happen what I see is happening.

22 I think I'm going to have to -- with what
23 very limited knowledge and ability that I do have, I
24 plan to be very active in the future as far as not only
25 forest management and management of our own resources,

1 wildlife resources, not only on our reserve but on our
2 Crown land.

3 I would just like to add one final thing
4 I guess. The last two years when I saw some of the
5 Indian abuses as far as wild game is concerned in our
6 own little communities, reserve communities around
7 Manitoulin Island area, every time I've heard somebody
8 would report to me, you know, I saw this, a guy doing
9 this, he wasted a moose, let it go to waste whatever,
10 there was numerous things like that.

11 And every time it was reported to me I
12 went directly to that Chief in Council and people,
13 relatives of that -- and I made a lot of enemies, and I
14 went to and said that's what these guys are doing. We
15 have got to stop that, that's why we're getting a bad
16 name, you know, it's guys like this. That's why these
17 non-Native wants want to shoot us in the bush.

18 And I disagree, you know, this day and
19 age with the welfare system and the different avenues
20 that are available to our people today to acquire wild
21 game, they have absolutely no reason to hunt during the
22 winter months, you know, when deer for example and the
23 moose are pregnant with their young. I think if I ever
24 saw anybody doing that, whether it's Native or
25 non-Native, I think I would point a gun at them right

1 on the spot. That's what I think I would do.

2 But I absolutely disagree with that and
3 I've seen it done. That's about all I have to say I
4 guess.

5 MADAM CHAIR: Thank you very much,
6 gentlemen. Will there be any questions for those
7 witnesses?

8 MS. GILLESPIE: I have no questions.

9 MADAM CHAIR: Mr. Freidin?

10 MR. FREIDIN: No.

11 MR. MARTEL: I too heard the comments
12 from Sudbury last week rather scary, again this morning
13 it was rather scary.

14 EXAMINATION BY MR. MARTEL:

15 Q. I would like to ask you though, when
16 you talk about timber management, how do you see it
17 evolving?

18 I mean, you talk about what you can use
19 personally and you don't waste anything. How do you
20 see that working with the type of timber management we
21 now have which is one of two forms, clearcuts and so on
22 and the size of those clearcuts? How does that tie in
23 though with what I heard one of you saying that, you
24 know, a few logs or so on.

25 We are well beyond that in the way we do

1 forest management. How do you see it being restricted
2 or how do you see it being developed to protect your
3 values and at the same time have economic development?

4 MR. J. AGUONIA: A. I guess this here
5 what we're doing is part of that process, but I think
6 there has to be something more ongoing and permanent
7 and direct by not excluding the Native people, by
8 including them more into those processes and not -- I
9 guess if you're looking for standard, perhaps it can't
10 be because the land is a little bit different in
11 different places and the people there in that area know
12 that land it's important that - I'm not sure how to say
13 this - other values would be looked at and it can't be
14 just summed up, I don't think, just today in one
15 afternoon.

16 There's a whole lot of other things that
17 are not in play right now which is our perspective to
18 the land. We have always been on the land of North
19 America and we want to go back further than the
20 research that's already been done, the system, the
21 system that is in place of nature.

22 Q. See the NAN communities in
23 northwestern Ontario have reached an agreement with the
24 Ministry of Natural Resources and the Forest Industry
25 and it's now entered into the terms and conditions that

1 are being presented to the Board; Treaty 3 took a
2 somewhat different stand.

3 What I'm trying to elicit from you is how
4 can we best meet your needs, what type of process to
5 meet the needs of your people?

6 A. I guess it's the needs of all people
7 rather than the convenience, depending if we are
8 talking about convenience as a need. We're going to
9 have to have a look at those values. That's what I see
10 as the most important, looking at those values.

11 As we make things today, like in our
12 ceremony as an example we use sacred stone where fire
13 comes out of that flint. That is one way that we use.
14 On the other hand we are living today with the Bic
15 lighter and it's right there, very convenient, and we
16 like that, it's nice to have that convenience, but
17 there's time when that's going to burn out, it's going
18 to burn out and it's not going to disappear just like
19 that, it's going to leave behind something, whether
20 it's burnt it's going to do something to the
21 atmosphere, if it's left on the earth it's going to do
22 something -- have an effect on the earth.

23 But the other one is not wasted, it's
24 more original, more natural. I think a lot of things
25 could be restructured, the values, just how much

1 economy do we need, or can it be changed, rerouted a
2 different way or what's our main basis; is it economy
3 or is it our future.

4 MR. MARTEL: Thank you.

5 MADAM CHAIR: All right. Thank you very
6 much, gentlemen. We appreciate you coming here today
7 and talking to us.

8 Thank you.

9 MR. NORMAN AGUONIA: Megoosh.

10 MR. ZYLBERBERG: Madam Chair, we have one
11 more witness to call this afternoon. Do you want to
12 call him now or take a break as you deem appropriate?

13 MADAM CHAIR: How long will be you be in
14 examination-in-chief of Mr. Fraser?

15 MR. ZYLBERBERG: Probably about half an
16 hour.

17 MADAM CHAIR: Okay. Why don't we take a
18 break now and we will be back in 20 minutes.

19 ---Recess at 2:30 p.m.

20 ---On resuming at 2:45 p.m.

21 MADAM CHAIR: Good afternoon, Mr. Fraser.

22 MR. FRASER: Good afternoon.

23 MADAM CHAIR: Would you like your
24 evidence to be sworn or affirmed?

25 MR. FRASER: If that's the normal

1 procedure, I would welcome it.

2 MADAM CHAIR: Would you like your
3 evidence affirmed then?

4 MR. FRASER: Okay.

5 DOUG FRASER; Affirmed.

6 MADAM CHAIR: Thank you, Mr. Fraser.

7 THE WITNESS: Thank you.

8 DIRECT EXAMINATION BY MR. ZYLBERBERG:

9 Q. Doug, you teach school in Haileybury?

10 A. Yes, I do, in New Liskeard.

11 Q. How long have you lived in northern
12 Ontario?

13 A. For five years, north of North Bay.
14 Some people would call Muskoka northern Ontario and I
15 lived there for four years prior to that.

16 Q. And how long have you been involved
17 in groups that have an environmental conscience?

18 A. For about nine years.

19 Q. When you were asked to prepare a
20 statement of your evidence it concentrated very largely
21 on how to determine what a healthy forest is and what a
22 health forest isn't.

23 Could you perhaps start by giving the
24 Board your overall views about that before I ask you
25 some specific questions.

1 A. Okay. I think one of my main
2 concerns is the whole context in which we try to make
3 those judgments, those judgments of what is or is not
4 valuable in a forest ecosystem, and I like to call the
5 natural ecosystem the primary reality and when I talk
6 about being realistic I find that there's different
7 realties, there's economic reality and then I'm told
8 that there's political reality, but for me the
9 ecological reality, the actual natural cycles in an
10 ecosystem are -- they're a given and they are not --
11 well, they're flexible in a biological way but they're
12 not flexible in terms of their ability to move
13 depending upon legislation and human interests.

14 So I think it's very important that when
15 we judge ecosystems that we make sure that we're
16 judging them based on that reality and not based on
17 what we might wish that reality to be.

18 Maybe a good example of that, at least it
19 makes it clear in my mind is the way we in the last
20 month or so have responded to the media story about the
21 depletion of the ozone layer, and it seems to me the
22 media has covered that story in terms of the impact on
23 human skin and whether or not we're going to wear large
24 brimmed hats and UV blocking sunglasses and sunscreen.

25 When I hear that story I immediately

1 think of plants productivity, and if people don't see
2 that as being first and foremost of primary concern,
3 then obviously we live in a society which is very out
4 of touch with that reality, with the real ecosystem
5 upon which we are all so dependent.

6 Q. Part of what has to be done for
7 timber management is to assess the health of the forest
8 that's being managed, and part of your paper criticized
9 a featured species approach to assessing the health of
10 the forest. Can you speak to that?

11 A. Yes. I think that when you attempt
12 to monitor the quality of an ecosystem - and it's of
13 course very difficult to do - taking a featured species
14 approach I think has some tremendous, tremendous
15 problems because immediately the species that has been
16 featured and, in particular, the white-tailed deer and
17 moose that I commented on have all kinds of problems
18 associated with them.

19 They're both species that are very, very
20 closely linked to human consumptive needs or wishes,
21 they're not very significant ecologically compared to a
22 lot of other species, they don't represent a
23 cross-section of what an ecosystem is all about, and I
24 suppose the key word is ecosystem.

25 And so if you take a reductionist

1 approach to science and you look at a single species -
2 and I used an analogy in my brief the analogy of the
3 human body - if you look at a featured organ in an
4 attempt to assess the health of an organism, I don't
5 know -- you know, if you picked an eyeball or a heart
6 or a left kidney that would tell you quite a bit about
7 the health of the individual but certainly it would not
8 be very appropriate and it might be you might be
9 counting more on luck than anything else.

10 And, therefore, my suggestion was to look
11 at some index that's a better reflection of the system
12 and in my review of the literature just basic ecology
13 principles would be to select either a species
14 diversity index, something which looks at a group or an
15 assemblage of organisms which would have much greater
16 ecological significance than a single species, and this
17 seems to be a preferred approach of many ecologists.

18 Q. Is it possible to have a healthy deer
19 population or a healthy moose population and yet not
20 have a healthy forest?

21 A. Well, in the case of white-tailed
22 deer it would seem that there would be a strong
23 relationship between a healthy forest -- a healthy deer
24 population and a lack of forest, because at least my
25 understanding historically is that white-tailed deer

1 populations in northeastern North America have
2 increased dramatically through the spread of
3 agriculture and, therefore, I think, you know, deers
4 which like edge and which respond very well to
5 agriculture are probably not a very good species to
6 select for wilderness.

7 And I think the same goes -- the same
8 holds for moose, but it would hold for pileated
9 woodpeckers. If I was to look at pileated woodpecker
10 populations there would be a strong association there,
11 I assume, between pileateds and snags and those
12 specific features that they like, but it certainly
13 wouldn't be representative of a system.

14 Q. Are there any species that are more
15 significant in the system than others?

16 A. There are what in ecology would be
17 referred to as a key species or features species.
18 Those would be species that played very critical roles
19 perhaps in nutrient cycles. Certainly all of the
20 plants, the main producers -- the dominant producer
21 would be more critical.

22 Another option that I've seen referred to
23 in fact is to pick a fairly rare species or a species
24 that is -- and I suppose that would be like the spotted
25 owl approach in western Canada and the U.S. where you

1 select a species that is actually very sensitive to
2 disruptions, so you could either I think monitor a
3 series of species that were key in those major nutrient
4 or bioenergetic cycles or to pick a species that's
5 extremely sensitive to a certain forest type, and deer
6 and moose don't seem very appropriate in that way, in
7 my feeling.

8 Q. If you are looking at fauna and not
9 at flora, is there a place in the food cycle of any
10 significance in terms of assessing how key they are to
11 the ecosystem as a whole; that is to say, are the fauna
12 at the top of food cycle more or less an index to the
13 strength of the system?

14 A. Well, in terms of an index, I suppose
15 there would be -- they're not significant players in
16 the food cycle. If they are at the top of the food
17 cycle -- I mean, if we look at major productivity in
18 the forest coming, of course, from plants, plants I
19 suspect are much more worried about being consumed by
20 insects than they are being consumed by moose. So in
21 an evolutionary strategy perspective it is the
22 vertebrates that are more key players.

23 Another thing, though, I think is
24 important is to look again at a group so that -- and
25 lot of work has been done with birds in this regard

1 where if one looks at avifauna, then you are looking
2 at a wide diversity of organisms that fill many, many
3 ecological niches and, therefore, may be a better
4 parameter to measure.

5 Q. Is it your suggestion that we should
6 continue to measure for individual species but move
7 away from moose and deer to others, or are you
8 suggesting an index that doesn't focus on one or two
9 species?

10 A. I guess, and I don't have the
11 expertise at all to judge what the best or the ideal
12 group of species would be, but there are some pragmatic
13 concerns here in terms of what is doable, but I think
14 that to use some kind of an index that's representative
15 of those species that are most closely associated with
16 natural wilderness would be best.

17 So I think you would be limited. I mean,
18 there are certain limits on what you can measure and,
19 therefore, the species that you would select I would
20 hope would be ones that historically to the best of our
21 knowledge are highly representative of the forest type
22 that we are in.

23 Again, I don't know, I haven't tried to
24 assess what those species would be, but, for instance,
25 perhaps woodlands caribou or elk, had they still

1 existed here, would be a better type of species to
2 judge than white-tailed deer which I don't think are
3 native, particularly native in very strong numbers to
4 the area.

5 Q. In your paper you suggested that
6 species diversity should be emphasized as a measure of
7 wilderness health. Can you talk to that?

8 A. Species diversity would be -- to
9 assist species diversity, this would be where one
10 looked at a collection of organisms and that it
11 doesn't -- I suppose from the calculation of that index
12 you would select species and then you would be
13 measuring both their abundance and -- well, you would
14 be measuring the numbers of different kinds of species
15 and their abundance. So it would be a weighted index.

16 So, therefore, if you look at all birds
17 or if you looked at all species of flies or whatever
18 group you selected, then you would be getting, you
19 know, a statistical handle on exactly how diverse that
20 group is, and then I suppose one would monitor that and
21 see if that was changing dramatically, whereas if you
22 pick an individual species, that population
23 individually may fluctuate quite wildly and not
24 represent a very good cross-section of ecosystem
25 health.

1 Q. How practically does one measure
2 species' diversity in a managed forest?

3 A. You would have to assess both the
4 variety of species that are there and their number. So
5 there would have to be sampling techniques used to
6 quantify the abundance and distribution of the species
7 that were selected.

8 So presumably you would select a group of
9 organisms that were relatively easy to sample and yet
10 had -- you know, played a key role or were
11 representative. One of reasons actually that birds
12 have been referred to in the literature quite a bit in
13 this area is simply because they are relatively easy to
14 sample.

15 Q. You talked in your paper not only to
16 species diversity, but also to features that would
17 enhance or maintain species diversity?

18 A. That's right, yes.

19 Q. Habitat diversity. Perhaps I would
20 just ask you to elaborate on exactly what you mean as
21 you talk to these. You talk about habitat diversity.

22 A. Habitat -- I will just see my list
23 here.

24 Q. I am on page 11 of the appendix to
25 your statement. In fact the last page in Tab 6.

1 A. Yes. Habitat diversity, of course,
2 just refers to the number of different habitat types
3 within the region or the area being looked at. So the
4 greater the diversity of plant communities in general,
5 then obviously I think the greater the diversity of
6 species would be.

7 I'm not trying to imply that we are --
8 you know, we should be increasing species or habitat
9 diversity, but if the wilderness or the area that we
10 are looking at managing has a certain amount of habitat
11 diversity, then the reduction in that diversity will,
12 of course, result in a reduction of species diversity.

13 Riparian features are just features
14 associated about water and these been shown to be very,
15 very significant in enhancing diversity of a wide
16 variety of species for many reasons; increasing plant
17 diversity, increasing edge, increasing deadwood,
18 increasing the number of snags, beaver meadows, these
19 kinds of things, increasing insect populations and
20 those sorts of things.

21 Snags have been shown to be, although
22 relatively small in number, they are very, very
23 significant for a number of species either as a feeding
24 or nesting site. So they are features which often play
25 a very key role in one small component of the species'

1 life history.

2 Foliage height diversity has been shown
3 to greatly enhance bird species diversity and,
4 therefore -- you know, I guess the extremes would be
5 where you have a lot of edge or where you have quite a
6 diversity in plants at different heights within the
7 canopy and a single plantation that's very, very
8 uniform in height. If you had a very uniform height,
9 then you would have minimum species diversity based on
10 this parameter alone.

11 So foliage height diversity, you know,
12 would be associated with selective cuts or most closely
13 associated with selective cutting or very small patch
14 cutting with quite -- with staggered times would offer
15 the greatest diversity in that area.

16 Q. You talked in your paper as well
17 about the importance of finding an appropriate time
18 scale for evaluating changes to the forest. Can you
19 speak to that?

20 A. This is actually one of my greatest
21 concerns, is that as a society, as a species we seem
22 very, very poor at judging changes in our environment I
23 suppose in anything, but in our environment over time.

24 So I cited examples of things like the
25 passenger pigeon or the bison and those tremendous

1 ecological changes. The elimination of perhaps the
2 most abundant bird in North America, the passenger
3 pigeon, may have been one of the most abundant birds on
4 earth.

5 It happened over a fairly rapid time
6 period and because it is gone now I don't know that my
7 children are going to miss it. Like, I don't know that
8 we have a real sense of what our loss is.

9 My main concern there is that if you
10 haven't personally experienced it or you don't
11 personally -- aren't closely aware of what was, then it
12 is very hard to judge the significance of what we have
13 to live with now.

14 So as we are travelling through any part
15 of the province and we look out the car window and see
16 a certain habitat type, how do we judge how good a job
17 we're doing if we don't actually know what the natural
18 options were or what the primary reality of that
19 environment would have been at the time.

20 I think that our changes are very, very
21 slow in terms of our personal lives. So if I see a
22 change in my life -- I grew up in Ottawa where right
23 around the corner was all farming pasture land and now
24 it's kilometres of development there.

25 So during my lifetime I have seen what I

1 would consider a significant change in that ecosystem,
2 the paving over of an ecosystem, the removal of an
3 ecosystem and that seems over 25 years that -- and I'm
4 deeply rooted in ecology. It hasn't been dramatic for
5 me and yet 25 years in an ecological time frame is a
6 blinding flash.

7 If we think back over the last hundred
8 years and how we have changed this planet, I think it's
9 well understood that the pace of change is increasing
10 not slowing down, much as we might like to think that
11 we are raising our awareness of it.

12 I really wonder if we are sitting back
13 and judging these incremental changes as seriously as
14 we should be because the smallest change or what may
15 seem to be the smallest change in our lifetime, if we
16 add up 25 of those or even 10 of those it is a very,
17 very significant change.

18 I think that makes it very difficult for
19 us to judge because it's very difficult to judge those
20 subtle changes or to measure subtle changes. I think
21 that's one of the very strong reasons to advocate the
22 preservation of some wilderness or some primary reality
23 because at least if we have some of the natural system
24 preserved as best as possible we can reflect more
25 accurately on what change we are making.

1 Q. Are you arguing that there should be
2 no timber extraction or very little timber extraction?

3 A. I think in some areas there has to be
4 very, very little impact. In some areas I think there
5 should be no consumptive use.

6 I think we are fooling ourselves if we
7 think that we can go in in a significant way and not
8 alter an ecosystem.

9 So if we were talking very, very small
10 numbers of people in a very large area that might be
11 different, but in the orders of magnitude that we like
12 to go in and modify things, I don't think we have the
13 ability to properly judge how significant those changes
14 are or going to be.

15 Q. Those are my questions unless there
16 is something that I haven't asked you that you would
17 like to add before other people have a chance to
18 question you.

19 A. I think that has covered my main
20 concerns fairly thoroughly. Thank you.

21 MADAM CHAIR: Thank you, Mr. Fraser.

22 Ms. Gillespie, do you have any questions
23 for Mr. Fraser?

24 MS. GILLESPIE: No, I don't have any
25 questions.

1 MADAM CHAIR: Mr. Freidin?

2 MR. FREIDIN: Just one.

3 CROSS-EXAMINATION BY MR. FREIDIN:

4 Q. Mr. Fraser, you spoke about your
5 concern about the featured species approach and you
6 have spoken about perhaps looking at ecosystems in a
7 natural environment a little bit differently.

8 If a change in direction were to be
9 implemented would you favour one where, in fact, there
10 was a very reasoned, well-thought-out approach
11 developed to make sure that you are choosing either the
12 right species or the right ecosystem approach as
13 opposed to just sort of starting off without making
14 sure that you were going in the right direction?

15 A. Certainly.

16 Q. Why do you agree? Why do you say
17 certainly?

18 A. That one should carefully assess what
19 species or what selection of species should be
20 monitored as opposed to just picking one ad hoc, is
21 that your question?

22 Q. Yes.

23 A. I think it seems quite obvious that
24 one would want to make an appropriate judgment. I
25 think that there are -- in terms of actually carrying

1 that out, it would make things easier if one from the
2 outset recognized that the diversity of an ecosystem
3 would require the diversity in tools used to measure
4 that.

5 MR. FREIDIN: Those are my questions.

6 MADAM CHAIR: Thank you, Mr. Freidin.

7 Thank you very much, Mr. Fraser.

8 THE WITNESS: Thank you.

9 MADAM CHAIR: We appreciate you coming
10 here today. Thank you.

11 MR. ZYLBERBERG: Well, I know that I
12 tried to have witnesses scheduled so that we wouldn't
13 be here with time left in the day and out of witnesses,
14 and all I can say to the Board is I tried and I hope to
15 be more successful tomorrow.

16 MADAM CHAIR: Mr. Martel just whispered
17 to me that we never object when the examination is
18 efficient and things move a little faster than we had
19 hoped.

20 MR. ZYLBERBERG: Thank you.

21 I was going to ask you to adjourn until
22 tomorrow morning. We hope to have a full day tomorrow.
23 I expect we will be starting at nine or thereabouts?

24 MADAM CHAIR: We will begin at nine
25 o'clock tomorrow morning. I understand you have six

1 witnesses scheduled for tomorrow.

2 MR. ZYLBERBERG: Yes.

3 MADAM CHAIR: Also for the parties, and I
4 think Mr. Pascoe has been in touch with you, we were
5 going to scope the evidence of the Ministry of Natural
6 Resources on Wednesday evening, but given Mr.
7 Zylberberg's revised schedule we might be finished
8 Wednesday evening.

9 So Mr. Pascoe has asked the parties if we
10 can change the scoping session tomorrow evening and I
11 believe he has canvassed the parties in Toronto and it
12 looks to be all right to have it changed until tomorrow
13 night.

14 Is that all right with you, Ms.
15 Gillespie?

16 MS. GILLESPIE: Yes. We had hoped we
17 would have the statements of issues available for the
18 scoping session and I don't believe they are due until
19 tomorrow. I'm not sure whether the parties have filed
20 those, but maybe if they could make some effort to get
21 those over in the morning that would help the scoping
22 session.

23 MADAM CHAIR: Fine. Thank you.

24 I think we are finished our business
25 today and we will be here at nine o'clock tomorrow

1 morning. Thank you.

2
3 ---Whereupon the hearing was adjourned at 3:15 p.m.,
4 to be reconvened on Tuesday, April 14, 1992
5 commencing at 9:00 a.m.
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